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**Monday,
May 14, 2001**

Part III

Department of Agriculture

Semiannual Regulatory Agenda

DEPARTMENT OF AGRICULTURE (USDA)

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Subtitle A, Chs. I-VII, IX-XII, XIV-XVIII, XXI, XXIV-XXIX

9 CFR Chs. I-IV

36 CFR Ch. II

41 CFR Ch. 4

Semiannual Regulatory Agenda, April 2001

AGENCY: Office of the Secretary, USDA.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda provides summary descriptions of significant and

not significant regulations being developed in agencies of the U.S. Department of Agriculture (USDA) in conformance with Executive Order 12866 "Regulatory Planning and Review." The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Public Law 96-354. This agenda also identifies regulatory actions that are being reviewed in compliance with section 610(c) of the Regulatory Flexibility Act. We invite public comment on those actions.

USDA has attempted to list all regulations and regulatory reviews pending at the time of publication except for minor and routine or repetitive actions, but some may have been inadvertently missed. There is no

legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown.

FOR FURTHER INFORMATION CONTACT: For further information on any specific entry shown in this agenda, please contact the person listed for that action. Requests for copies of the agenda should include a self-addressed, stamped envelope and be directed to: Regulatory Agenda, OBPA, Office of the Secretary, Room 118-E, Jamie Whitten Building, U.S. Department of Agriculture, Washington, DC 20250, (202) 720-1272.

Dated: March 12, 2001.

Jacquelyn Y. Chandler,
Chief, Legislative and Regulatory and
Automated Systems Staff.

Agricultural Marketing Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1	Processed Fruits and Vegetables: Qualified Through Verification (QTV)	0581-AB58
2	General Specifications for Dairy Plants Approved for USDA Inspection and Grading	0581-AB59
3	Tobacco Fees and Charges for Permissive Inspection: Fee Increase	0581-AB86
4	Hass Avocado Promotion, Research, and Information Order	0581-AB92
5	Revision of User Fees for 2001 Crop Cotton Classification Services to Growers (CN-00-010)	0581-AB94

Agricultural Marketing Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
6	Voluntary Shell Egg Regulations; Repackaging of Shell Eggs Under USDA's Grading Program	0581-AB56
7	Honey Research, Promotion, and Consumer Information Order	0581-AB84
8	Tobacco Fees and Charges for Mandatory Inspection: Fee Increase	0581-AB87

Agricultural Marketing Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
9	National Laboratory Accreditation Program	0581-AB42
10	Olive Oil Promotion, Research, and Information Order	0581-AB62
11	Changes in Fees for Federal Grading and Certification of Livestock for Chicago Mercantile Exchange Futures Deliveries	0581-AB66
12	Program To Assess Organic Certifying Agencies	0581-AB70
13	Regulations Governing the Inspection of Eggs	0581-AB74
14	Voluntary Grading of Shell Eggs (PY-01-002)	0581-AB88
15	Discontinue the Official Grading of Imported Beef, Lamb, Veal, and Calf Carcasses Under the Authority of the Agricultural Marketing Act of 1946	0581-AB90
16	Subpart A—Regulations Governing the Inspection and Grading Service of Manufactured or Processed Dairy Products	0581-AB93

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Agricultural Marketing Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
17	National Organic Program	0581-AA40
18	Livestock Mandatory Reporting Act of 1999	0581-AB64
19	Regulations Governing the Certification of Sanitary Design and Fabrication of Equipment Used in the Processing of Livestock and Poultry Products	0581-AB69
20	Changes in Fee for Voluntary Federal Fruits and Vegetables, Processed	0581-AB85
21	Changes in Fees for Science and Technology Laboratory Service (S&T-99-008 PR)	0581-AB91

Farm Service Agency—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
22	Regulatory Streamlining of the Farm Service Agency's Direct Farm Loan Programs	0560-AF60
23	Livestock Indemnity Program and Livestock Indemnity Program for Contract Growers	0560-AG33
24	Conservation Reserve Program—Failure To Establish Cover and Good Faith Reliance	0560-AG37
25	Implementation of the U.S. Warehouse Act of 2000	0560-AG45

Farm Service Agency—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
26	Part 1946 Mediation; Subpart A—Agricultural Loan Mediation Program	0560-AE26
27	Lamb Meat Adjustment Assistance Program	0560-AG17
28	Reduction of Amortized Shared Appreciation Recapture Interest Rate	0560-AG43
29	Collecting Guaranteed Loss Payments from FSA Farm Loan Program Borrowers	0560-AG44

Farm Service Agency—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
30	Selection and Functions of Farm Service Agency State and County Committees	0560-AE33
31	Amendments to the Standards for Approval of Warehouse for Commodity Credit Corporation Storage Contracts	0560-AE50
32	Deletion of FSA Regulations Regarding Colorado River Basin Salinity Control Program	0560-AE54
33	Amendments to the Debt Settlement Policies and Procedures To Conform to the Debt Collection Improvement Act of 1996	0560-AF22
34	Amendment to the Farm Reconstitution Regulations	0560-AF36
35	Dairy Recourse Loan Program	0560-AF41
36	1999-Crop Marketing Quota and Price Support Level for Burley Tobacco	0560-AF50
37	Remove Internal Agency Provisions From FSA Farm Credit Program Regulations for Liquidation of Loans Secured by Real Estate and Acquisition of Real and Chattel Property	0560-AF53
38	Small Hog Operation Payment Plan	0560-AF70
39	Low Documentation Loan	0560-AF71
40	Streamlining of the Emergency Farm Loan Program Regulations	0560-AF72
41	Amendments to the Conservation Reserve Program Regulations Regarding Land Eligibility	0560-AF77
42	2000-Crop Peanuts National Poundage Quota, National Average Loan Rates for Quota and Additional Peanuts and Minimum Export-Edible Sales Price for Additional Peanuts	0560-AF83
43	2000-Crop Marketing Quota and Price Support Level for Flue-Cured Tobacco	0560-AF84
44	Disaster Set-Aside Program	0560-AF91
45	Designation of Non-Auction Tobacco	0560-AG07
46	Agricultural Disaster and Market Assistance	0560-AG14
47	Noninsured Crop Disaster Assistance Program Regulations for the 2001 and Succeeding Crop Years	0560-AG20
48	Northeast Interstate Dairy Compact	0560-AG25
49	Emergency Conservation Program	0560-AG26
50	2001-Crop Marketing Quota and Price Support Level for Flue-Cured Tobacco	0560-AG28

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Farm Service Agency—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
51	2001-Crop Marketing Quota and Price Support Level for Burley Tobacco	0560-AG29
52	2001-Crop Marketing and Price Support Levels for Five Kinds of Tobacco	0560-AG30
53	2001-Crop Peanuts National Poundage Quota, National Average Loan Rates for 2001-Crop Quota and Additional Peanuts and Minimum Export Edible Sales Price for Additional Peanuts	0560-AG31
54	Conservation of Farmable Wetlands	0560-AG38
55	Tobacco Loss Assistance Program and Amendments to the Tobacco Marketing Quota Regulations	0560-AG40
56	Collection of Appraisal Fees for Farm Loan Programs, Insured Loans	0560-AG42

Farm Service Agency—Completed Actions

Sequence Number	Title	Regulation Identification Number
57	Small Farmer Outreach Training and Technical Assistance Program	0560-AE17
58	Amendments to the Farmer Account Servicing Policies	0560-AE42
59	Amendment to the Cotton Warehouse Regulations Regarding the Definition of “Unnecessary Delay”	0560-AF13
60	Amendments to the Forage Provisions of the Noninsured Crop Disaster Assistance Program	0560-AF23
61	Sugar Program Information Reporting and Recordkeeping Requirements	0560-AF31
62	Debt Settlement for Indian Tribal Land Acquisition Loans	0560-AF43
63	Noninsured Crop Disaster Assistance Program Regulations for the 1998 and Succeeding Crop Years	0560-AF46
64	Cleaning and Reinspection of Farmers’ Stock Peanuts	0560-AF56
65	Amendments to the Regulations Governing the Peanut Poundage Quota and Price Support Programs	0560-AF61
66	Production Flexibility Contracts for Wheat, Feed Grains, Rice, and Upland Cotton	0560-AF79
67	Suspension of Collection of Recapture Amount for Borrowers with Certain Shared Appreciation Agreements	0560-AF80
68	2000-Crop Marketing Quota and Price Support Level for Burley Tobacco	0560-AF85
69	2000-Crop Marketing Quotas and Price Support Levels for Five Kinds of Tobacco	0560-AF86
70	Noninsured Crop Disaster Assistance Program Regulations for the 1999 and Succeeding Years	0560-AF90
71	Farm Storage Facility Loan Program	0560-AG00
72	Clarification of Cash Flow Margin Requirements for Farm Service Agency Guaranteed Loans	0560-AG15
73	Bioenergy Program	0560-AG16
74	2000-Crop Agricultural Disaster and Market Assistance	0560-AG18
75	Market Assistance for Tobacco, Wool and Mohair, and Cottonseed	0560-AG19
76	Amendments to the Tobacco Program Regulations	0560-AG21
77	Grazing Payments for 2001 Wheat, Barley, or Oats	0560-AG22
78	Special Apple Program and Emergency Loan for Seed Producers Program	0560-AG23
79	Handling Payments from the Farm Service Agency to Delinquent Farm Credit Program Borrowers	0560-AG24
80	Sugar Payment-In-Kind Program	0560-AG27
81	Livestock Assistance, American Indian Livestock Feed, Pasture Recovery, and Dairy Price Support Programs	0560-AG32
82	Dairy, Honey, and Cranberry Market Loss Assistance and Sugar Programs	0560-AG34
83	Wool, Mohair, and Apples	0560-AG35
84	2000 Crop Disaster Program	0560-AG36
85	2001 Dairy Indemnity Payment Program	0560-AG39
86	Limited California Cooperative Insolvency Payment Program	0560-AG41

Animal and Plant Health Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
87	Plant Pest Regulations; Update of Current Provisions (Section 610 Review)	0579-AA80
88	Importation of Solid Wood Packing Material	0579-AA99
89	Blood and Tissue Collection at Livestock Slaughtering Establishments	0579-AB13
90	Importation of Unshu Oranges	0579-AB17
91	Phytosanitary Certificates for Imported Fruits and Vegetables	0579-AB18
92	Bees, Beekeeping Byproducts, and Beekeeping Equipment (Section 610 Review)	0579-AB20
93	Exportation of Livestock (Section 610 Review)	0579-AB21
94	Veterinary Diagnostic User Fees—5-Year Plan for Fees (Section 610 Review)	0579-AB22

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Animal and Plant Health Inspection Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
95	Nursery Stock Regulations (Section 610 Review)	0579-AB23
96	Animal Welfare—Standards for Marine Mammals (Section 610 Review)	0579-AB24

Animal and Plant Health Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
97	Karnal Bunt	0579-AA83
98	Interstate Movement of Sheep and Goats From States That Do Not Quarantine Scrapie-Infected and Source Flocks (Section 610 Review)	0579-AA90
99	Animal Welfare; Inspection, Licensing, and Procurement of Animals (Section 610 Review)	0579-AA94
100	Irradiation Phytosanitary Treatment of Imported Fresh Fruits and Vegetables	0579-AA97
101	Establishment of Regions in the European Union for Hog Cholera, Foot-and-Mouth Disease, and Swine Vesicular Disease	0579-AB03
102	Commercial Transportation of Equines to Slaughter	0579-AB06
103	Citrus Canker; Payments for Commercial Citrus Tree Replacement and Lost Production Income	0579-AB15
104	Plum Pox Compensation	0579-AB19
105	Animal Welfare; Policy on Environment Enhancement for Nonhuman Primates	0579-AB25

Animal and Plant Health Inspection Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
106	Importation of Certain Embryos and Animal Semen (Section 610 Review)	0579-AA63
107	Importation of Fuji Apples From the Republic of Korea	0579-AA93
108	Restrictions on the Importation of Ruminants, Meat and Meat Products From Ruminants, and Certain Other Ruminant Products	0579-AA98
109	Requiring Treatment of Solid Wood Packing Material From China	0579-AB01
110	Importation of Unmanufactured Wood Articles From Mexico	0579-AB02
111	Horse Protection; Horse Industry Organizations	0579-AB04
112	Noxious Weeds; Weed Categories and Priorities (Section 610 Review)	0579-AB07
113	Noxious Weeds; Restrictions on Interstate Movement	0579-AB08
114	Aquaculture; Farm-Raised Fin Fish	0579-AB09
115	Pseudorabies in Swine; Payment of Indemnity	0579-AB10
116	Importation of Beef From Brazil	0579-AB16

Animal and Plant Health Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
117	Animal Welfare—Standards for Marine Mammals	0579-AA59

Cooperative State Research, Education, and Extension Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
118	Higher Education Multicultural Scholars Program; Administrative Provisions	0524-AA09
119	Hispanic-Serving Institutions Education Grants Program Administrative Provisions	0524-AA17
120	Community Food Projects Administrative Provisions	0524-AA19
121	Small Business Innovation Research Program Administrative Provisions	0524-AA20
122	Biotechnology Risk Assessment Research Grants Program Administrative Provisions	0524-AA21

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Cooperative State Research, Education, and Extension Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
123	National Research Initiative Competitive Grants Program Administrative Provisions	0524-AA22

Rural Housing Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
124	Civil Rights Compliance Requirements—1901-E to 1940-D	0575-AA83
125	Servicing Community Programs Loans and Grants	0575-AC12
126	Multi-Family Housing Reinvention	0575-AC13
127	Self-Help Technical Assistance Grants	0575-AC20
128	Operating Assistance for Migrant Farmworker Projects	0575-AC24

Rural Housing Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
129	Reengineering and Reinvention of the Direct Section 502 and 504 Single-Family Housing Program	0575-AB99
130	Guaranteed Rural Housing Loan Single Family	0575-AC18

Rural Housing Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
131	Denying Credit to Applicants Delinquent on Any Federal Debt	0575-AA66
132	Environmental Program	0575-AB98
133	National Flood Insurance Regulations	0575-AC07
134	Technical Assistance To Encourage the Development of Domestic and Migrant Farm Labor Housing	0575-AC25

Rural Housing Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
135	Rural Development Loan Payment and Collection Procedures	0575-AC22
136	Community Programs Guaranteed Loan Program	0575-AC23

Federal Crop Insurance Corporation—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
137	General Administrative Regulations; Subpart D; Application for Crop Insurance	0563-AB00
138	Common Crop Insurance Regulations; Coarse Grains Crop Insurance Provisions	0563-AB64
139	General Administrative Regulations; Movement of Business Among Insurance Providers	0563-AB71
140	General Administrative Regulations; Sanctions	0563-AB73
141	Common Crop Insurance Regulations; Blueberry Crop Insurance Provisions	0563-AB76
142	General Administrative Regulations; Civil Rights Data Collection	0563-AB78
143	Common Crop Insurance Regulations; Nursery Crop Insurance Provisions	0563-AB80
144	General Administrative Regulations; Actual Production History	0563-AB83
145	General Administrative Regulations; Submission of Policies and Provisions of Policies and Rates of Premiums	0563-AB84

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Sequence Number	Title	Regulation Identification Number
146	General Administrative Regulations; Subpart S; Regulations for Insurance Coverage by Written Agreement	0563-AB07
147	Common Crop Insurance Regulations; Small Grains Crop Insurance Provisions and Wheat Winter Coverage Endorsement	0563-AB63
148	General Administrative Regulations; Nonstandard Underwriting Classification System	0563-AB66
149	General Administrative Regulations; Premium Reductions; Payments of Rebates, Dividends, and Patronage Refunds; and Payments to Insured-Owned and Record-Controlling Entities	0563-AB70
150	Common Crop Insurance Regulations; Millet Crop Insurance Provisions	0563-AB79
151	Catastrophic Risk Protection Endorsement; Group Risk Plan of Insurance Regulations; Basic Provisions	0563-AB81
152	Common Crop Insurance Regulations; Basic Provisions and General Administrative Regulations, Subpart T, Regulations for Implementation	0563-AB85

Federal Crop Insurance Corporation—Completed Actions

Sequence Number	Title	Regulation Identification Number
153	General Administrative Regulations; Interpretations of Statutory and Regulatory Provisions	0563-AB82

Grain Inspection, Packers and Stockyards Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
154	Review Inspection Requirements	0580-AA58
155	Livestock Purchase or Sale: Prohibit Non-Reporting of Price	0580-AA65
156	Fees for Official Inspection and Official Weighing Services	0580-AA75

Grain Inspection, Packers and Stockyards Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
157	Tolerances for Dividers	0580-AA57
158	Swine Packer Marketing Contracts	0580-AA71
159	Fees for Commodity and Rice Inspection Services	0580-AA74

Grain Inspection, Packers and Stockyards Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
160	Poultry Grower Contracts	0580-AA51
161	Regulations To Ensure More Equitable Competition in the Livestock and Meat Packing Industries (Livestock and Poultry Marketing)	0580-AA72
162	How Can USDA Best Facilitate the Marketing of Grains, Oilseeds, Fruits, Vegetables, and Nuts in Today's Marketplace	0580-AA73

Food and Nutrition Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
163	Special Supplemental Food Program for Women, Infants, and Children (WIC): Miscellaneous Provisions	0584-AB10
164	Food Stamp Program Matching Programs and Privacy Protections	0584-AB51

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Food and Nutrition Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
165	Food Stamp Program Regulatory Review: FSP Standards for Approval and Operation of Food Stamp Electronic Benefit Transfer Systems	0584-AC37
166	FSP: Civil Rights Data Collections	0584-AC75
167	Commodity Supplemental Food Program: Plain Language, Program Accountability, and Program Flexibility	0584-AC84
168	Food Stamp Program: Administrative Cost Reimbursement	0584-AC86
169	Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Packages	0584-AC90
170	Improving Access to the Food Stamp Program for Persons With Limited English Proficiency	0584-AD06

Food and Nutrition Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
171	WIC: Requirements for and Evaluation of WIC Program Requests for Bids for Infant Formula Rebate Contracts	0584-AB52
172	Food Stamp Program: Anticipating Income and Reporting Changes	0584-AB57
173	Disclosure of Free and Reduced-Price Eligibility Information Under the School Nutrition, Summer Food Service, and Child and Adult Care Food Programs	0584-AC21
174	Child and Adult Care Food Program: Improving Management and Program Integrity	0584-AC24
175	Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools: Provision 2 and Provision 3	0584-AC25
176	Food Stamp Program: Work Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and the Food Stamp Provisions of the Balanced Budget Act of 1997	0584-AC45
177	WIC Farmers Market Nutrition Program (FMNP): Expansion Funds Allocation Formula	0584-AC68
178	Child Nutrition Programs: Reimbursement for Snacks in Afterschool Care Programs	0584-AC72
179	Food Distribution Program: Deletion of Requirement To Evaluate State-Run Commodity Distribution and Warehousing Systems Every 3 Years	0584-AC79
180	FSP: Electronic Benefit Transfer (EBT) Systems Interoperability and Portability	0584-AC91
181	National School Lunch and School Breakfast Programs: Identification of Blended Beef, Pork, Poultry, or Seafood Products	0584-AC92
182	Child and Adult Care Food Program: Implementing Legislative Reforms To Strengthen Program Integrity	0584-AC94
183	Special Nutrition Programs: Disclosure of Children's Eligibility Information to State Medicaid and the State Children's Health Insurance Program (CHIP)	0584-AC95
184	State Administrative Expense Funds: Plain Language Rewrite	0584-AC96
185	Special Milk Program for Children: Plain Language Revision and Reorganization	0584-AC97
186	Food Distribution Programs: Plain Language Rewrite of 7 CFR Part 250, Donation of Foods for Use in the United States, Its Territories and Possessions, and Areas Under Its Jurisdiction	0584-AC98
187	Food Distribution Programs: Plain Language Rewrite of 7 CFR Part 251, The Emergency Food Assistance Program (TEFAP)	0584-AC99
188	Food Distribution Programs: Plain Language Rewrite of 7 CFR Part 252, The National Commodity Processing Program (NCP)	0584-AD00
189	Food Distribution Programs: Plain Language Rewrite of 7 CFR Part 253, the Food Distribution Program on Indian Reservations (FDPIR)	0584-AD01
190	Food Distribution Programs: Plain Language Rewrite of 7 CFR Part 254, the Food Distribution Program on Indian Reservations (FDPIR) in Oklahoma	0584-AD02
191	Nutrition Education and Training Program: 7 CFR Part 227, Plain Language Rewrite	0584-AD03
192	State Agency Liabilities and Federal Sanctions, 7 CFR 276	0584-AD04
193	Payments of Certain Administrative Costs of State Agencies, 7 CFR 277	0584-AD05
194	Implementation of Poultry Substitution Pilot as Permanent and Modification of Commodity Recordkeeping Requirements	0584-AD08

Food and Nutrition Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
195	Special Supplemental Food Program for Women, Infants, and Children (WIC): Food Delivery Systems	0584-AA80
196	Food Stamp Program: Revisions to the Retail Food Store Definition and Program Authorization Guidance	0584-AB90

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Food and Nutrition Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
197	FSP: Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996	0584-AC39
198	FSP: Noncitizen Eligibility and Certification Provisions of Public Law 104-193 (Previously Entitled State Flexibility and Certification Provisions)	0584-AC40
199	FSP: Nondiscretionary Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996	0584-AC41
200	Regulatory Reform: Provisions Relating to Firms Participating in the Food Stamp Program	0584-AC48
201	Special Supplemental Nutrition Program for WIC: Implementation of WIC-Related Provisions of Public Law 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996	0584-AC51
202	WIC: Certification Integrity	0584-AC76
203	FDPIR: Income Deduction and Miscellaneous Provision Rule	0584-AC81
204	WIC: Non-Discretionary Funding Modifications of Public Law 106-224	0584-AC93
205	Notice—Food Stamp Program Grants To Improve Applicant and Recipient Information	0584-AD07

Food Safety and Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
206	Grant and Inauguration of Inspection	0583-AC07
207	Performance Standards for Ready-To-Eat Meat and Poultry Products	0583-AC46
208	Performance Standards for Bacon	0583-AC49
209	Shell Egg and Egg Products Inspection Regulations	0583-AC58
210	Labeling—Generic Approval and Regulation Consolidation	0583-AC59
211	Nutrition Labeling of Ground or Chopped Meat and Poultry Products and Single-Ingredient Products	0583-AC60
212	Pathogen Reduction; Hazard Analysis and Critical Control Points (HACCP) Systems; Additions to Generic E. Coli Criteria	0583-AC63
213	Other Consumer Protection Activities	0583-AC64
214	Food Standards; Guiding Principles and Standards Modernization	0583-AC72
215	Poultry Inspection: Revision of Finished Product Standards With Respect to Ingesta	0583-AC77
216	Petitions for Rulemaking	0583-AC81
217	Classes of Poultry	0583-AC83
218	Mandatory Inspection of Ratites and Squabs	0583-AC84

Food Safety and Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
219	Beef or Pork With Barbecue Sauce; Revision of Standards	0583-AC09
220	Meat Produced by Advanced Meat/Bone Separation Machinery and Recovery Systems	0583-AC51
221	Incorporation of Food and Color Additives Into 21 CFR	0583-AC69
222	Sharing Recall Information With State and Other Federal Government Agencies	0583-AC75
223	Agency Organization	0583-AC78
224	Labeling of Natural or Regenerated Collagen Sausage Casings	0583-AC80
225	Food Standards: Requirements for Substantive Standardized Meat and Poultry Products Named by Use of an Expressed Nutrient Content Claim and a Standardized Term	0583-AC82

Food Safety and Inspection Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
226	Transportation, Storage, and Other Handling of Potentially Hazardous Foods	0583-AC05
227	Performance Standard for the Chilling or Other Processing of Livestock Carcasses and Ready-To-Cook Poultry	0583-AC21
228	Ante-Mortem and Post-Mortem Inspection of Livestock and Poultry	0583-AC43
229	Requirements for Disposition and Disposal of Inspected Raw Meat and Poultry Products	0583-AC44

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Food Safety and Inspection Service—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
230	Reworking of Meat and Poultry Carcasses Accidentally Contaminated During Evisceration	0583-AC53
231	Reform of Regulations on Imported Meat and Poultry Products	0583-AC56
232	Food Labeling; Nutrient Content Claims, Definition of the Term Healthy	0583-AC65
233	Elimination of Requirements for Total Quality Control Systems	0583-AC68
234	Performance Standards for On-line Antimicrobial Reprocessing of Pre-Chill Poultry Carcasses	0583-AC73
235	Terminology	0583-AC79

Food Safety and Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
236	Retained Water in Raw Meat and Poultry Products; Poultry-Chilling Performance Standards	0583-AC26
237	Agency Terminology	0583-AC57
238	Transfer and Development of Shell Egg Requirements	0583-AC70
239	Increases in Fees for Meat, Poultry, and Egg Products Inspection Services—Fiscal Year (FY) 2001	0583-AC74

Foreign Agricultural Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
240	Export Sales Reporting Requirement	0551-AA51

Foreign Agricultural Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
241	CCC Supplier Credit Guarantee Program	0551-AA30
242	Facility Guarantee Program	0551-AA35

Forest Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
243	Hydropower Applications	0596-AA47
244	Small Tracts Act Regulations	0596-AA79
245	Species Surplus to Domestic Manufacturing Needs	0596-AB27
246	Appeal of Decisions Relating to Occupancy and Use of National Forest System Lands	0596-AB45
247	Sale and Disposal of National Forest System Timber; Extension of Timber Sale Contracts To Permit Urgent Removal of Other Timber	0596-AB48
248	Law Enforcement Support Activities	0596-AB61
249	Noncompetitive Sale of Timber	0596-AB70
250	Categorical Exclusion for Certain Special Uses Permit Actions (FSH 1909.15, Chapter 30)	0596-AB73
251	Clarification of Exemptions From Special-Use Authorizations	0596-AB74
252	Sale and Disposal of National Forest System Timber; Timber Export and Substitution Restrictions	0596-AB75
253	Use of Fixed Anchors in Wilderness	0596-AB80
254	Special Forest Products and Forest Botanical Products	0596-AB81
255	Determining Fair Market Value for Recreation Residence Use Authorizations	0596-AB83

USDA**Forest Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
256	Indian Allotments on National Forest System Lands	0596-AA52
257	Disposal of National Forest Timber; Cancellation of Timber Sale Contracts	0596-AB21
258	Collection of Reimbursable Costs for Processing Special-Use Applications and Administration of Special-Use Authorizations	0596-AB36
259	Preference for Visitor Service; Alaska National Forest Conservation System Units	0596-AB57

Forest Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
260	National Forest System Land and Resource Management Planning	0596-AB20
261	Administration of the Forest Development Transportation System	0596-AB67
262	Appeal of Regional Guides and National Forest Land and Resource Management Plans; Multi-Agency Decisions ..	0596-AB76
263	Special Areas: Roadless Area Conservation	0596-AB77

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
264	General Nonprocurement Regulations	0503-AA21

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
265	Nondiscrimination in USDA-Conducted Programs and Activities	0503-AA15
266	Designation of Rural Empowerment Zones and Enterprise Communities	0503-AA20

Rural Business-Cooperative Service—Prerule Stage

Sequence Number	Title	Regulation Identification Number
267	Intermediary Relending Program Participation Agreements	0570-AA33

Rural Business-Cooperative Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
268	Business and Industry Direct Loan Program	0570-AA22
269	Business and Industrial Guaranteed Loan Program—Miscellaneous Changes	0570-AA23
270	Affirmative Fair Housing Marketing Plan	0570-AA24
271	Business and Industry Guaranteed Loan Program—Financing Cooperative Stock	0570-AA26
272	Rural Business Enterprise Grant Program	0570-AA28

USDA**Rural Business-Cooperative Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
273	Rural Economic Development Loan and Grant Program	0570-AA19
274	Allocation Formulas	0570-AA30
275	The Rural Business Enterprise Grants and Television Demonstration Grants	0570-AA32

Rural Business-Cooperative Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
276	Rural and Rural Area Under the Rural Community Advancement Program	0570-AA27
277	Business and Industry Guaranteed Loan Program—Domestic Lamb Industry Adjustment Assistance Program Set-Aside	0570-AA31

Rural Utilities Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
278	Telecommunications Standards and Specifications for Materials, Equipment, and Construction	0572-AB40
279	Servicing of Water Programs Loans and Grants	0572-AB59
280	Mergers and Consolidations of Electric Borrowers	0572-AB63
281	Pre-Loan Policies and Procedures Common to Insured and Guaranteed Telecommunications Loans	0572-AB64
282	Demand Side Management and Renewable Energy Systems	0572-AB65

Rural Utilities Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
283	Post-Loan Policies and Procedures Common to Guaranteed and Insured Loans	0572-AB48
284	Water and Waste Disposal Programs Guaranteed Loans	0572-AB57
285	Elimination of Current Ratio Requirements	0572-AB58
286	Extensions of Payments of Principal or Principal and Interest	0572-AB60
287	Settlement of Debt	0572-AB61
288	Policy on Audits of RUS Borrowers; Generally Accepted Government Auditing Standards (GAGAS)	0572-AB62
289	Policy on Audits of RUS Borrowers: Management Letter	0572-AB66

Rural Utilities Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
290	Electric Standards and Specifications for Materials and Construction	0572-AA67
291	RUS Approval of Additions and Extensions to Electric Plants	0572-AB38
292	Telecommunications System Construction Contract and Specifications	0572-AB41
293	The “Buy American” Requirement	0572-AB55

Rural Utilities Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
294	Solid Waste Management Grants	0572-AB14
295	Technical Assistance and Training Grants	0572-AB15

USDA**Rural Utilities Service—Completed Actions (Continued)**

Sequence Number	Title	Regulation Identification Number
296	Seismic Safety	0572-AB47
297	General and Pre-Loan Policies and Procedures Common to Insured and Guaranteed Electric Loans	0572-AB52
298	Electric Engineering, Architectural Services, and Design Policies and Procedures	0572-AB54

Natural Resources Conservation Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
299	Conservation of Private Grazing Land	0578-AA29
300	Emergency Watershed Protection Program	0578-AA30

Natural Resources Conservation Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
301	Forestry Incentives Program	0578-AA26
302	Wetland Categorical Minimal Effects Exemptions	0578-AA27

Natural Resources Conservation Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
303	Highly Erodible Land and Wetland Conservation	0578-AA17

Office of Procurement and Property Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
304	Agriculture Acquisition Regulation: Amendment to Part 442, Contract Administration	0599-AA08
305	Agriculture Acquisition Regulation; Part 419 Amendment; North American Industrial Classification System	0599-AA09
306	Office of Procurement and Property Management (OPPM); Uniform Procedures for the Acquisition and Transfer of Excess Federal Property	0599-AA10

Office of Procurement and Property Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
307	New Restrictions on Lobbying	0599-AA03
308	Agriculture Acquisition Regulation (AGAR); Contractor Employment of Migrant and Seasonal Agricultural Workers	0599-AA05

Office of Procurement and Property Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
309	Department of Agriculture Priorities and Administrative Guideline for Donation of Excess Research Equipment	0599-AA06

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Marketing Service (AMS)

Proposed Rule Stage

1. PROCESSED FRUITS AND VEGETABLES: QUALIFIED THROUGH VERIFICATION (QTV)

Priority: Other Significant
Legal Authority: 7 USC 1621 to 1627
CFR Citation: 7 CFR 52
Legal Deadline: None

Abstract: The Department of Agriculture (USDA) is proposing to revise the regulations governing inspection and certification of processed fruits and vegetables and certain other products by making changes to the definitions for the terms “inspection service, general”; “inspection service, types of”; “official identification”; and “official marks” to specifically provide for a new voluntary audit-based inspection service for food safety and wholesomeness under the authority of the Agricultural Marketing Act (AMA) of 1946, amended. The “Qualified Through Verification” (QTV) Program was developed as a pilot program in 1995 at the request of the fresh-cut produce industry. The industry asked for a voluntary audit and verification service using science-based techniques that would help maintain public confidence in the wholesomeness of minimally processed fruits and vegetables. AMS finds that the economic impact of this action on businesses should be similar in effect to other existing voluntary programs within the Agency and that firms availing themselves of the QTV program will not necessarily have a significant marketing advantage or risk over those that do not use the service. It is reasonable to assume that a company would not choose to participate in the program unless it expected benefits to exceed costs. AMS went out in a variety of ways, public meetings and public notice to inform the public of the new service which was requested initially by the fresh-cut produce industry. The AMA of 1946 provides AMS authority for offering voluntary quality assurance and related services.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: Yes
Small Entities Affected: Organizations
Government Levels Affected: None

Agency Contact: James R. Rodeheaver, Chief, Processed Products Branch, Department of Agriculture, Agricultural Marketing Service, MS 0709, Fruit & Vegetable Programs, P.O. Box 96456, Washington, DC 20090-6456
Phone: 202 720-4693
Fax: 202 690-1087
Email: james.rodeheaver@usda.gov

RIN: 0581–AB58

2. GENERAL SPECIFICATIONS FOR DAIRY PLANTS APPROVED FOR USDA INSPECTION AND GRADING

Priority: Substantive, Nonsignificant
Legal Authority: 7 USC 1621 to 1627
CFR Citation: 7 CFR 58
Legal Deadline: None

Abstract: The proposed rule would: (1) Lower the maximum allowable bacterial estimate for manufacturing-grade producer milk from 1,000,000 per milliliter to 500,000 per milliliter; (2) lower the maximum allowable somatic cell count from 1,000,000 to 750,000 cells per milliliter; (3) lower the maximum permitted bacterial estimate in commingled milk from 3,000,000 per milliliter to 1,000,000 per milliliter; (4) modify the follow-up procedures when producer herd milk exceeds the maximum allowable bacterial estimate; (5) delete the laboratory screening test for somatic cells in producer-held milk samples (no change for goat milk); and (6) make editorial changes where necessary.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None

Agency Contact: Duane R. Spomer, Chief, Standardization Branch, Department of Agriculture, Agricultural Marketing Service, Rm. 2746-South, Dairy Programs, P.O. Box 96456, Washington, DC 20090-6456
Phone: 202 720-7473
Fax: 202 720-2643
Email: duane.spomer@usda.gov

RIN: 0581–AB59

3. TOBACCO FEES AND CHARGES FOR PERMISSIVE INSPECTION: FEE INCREASE

Priority: Substantive, Nonsignificant
Legal Authority: 7 USC 511 et seq
CFR Citation: 7 CFR 29
Legal Deadline: None

Abstract: The U.S. Department of Agriculture (the Department) is proposing to increase the fees and charges currently in force for permissive grading of quota and nonquota tobacco to reflect the increased costs of operating the program. The Tobacco Inspection Act requires the Secretary to fix and collect fees and charges for the voluntary inspection and certification of tobacco, and fees must cover, as nearly as practicable, the Department’s costs for performing these services. The Agricultural Marketing Service is proposing that the base hourly rate be revised to \$47.40, the overtime rate shall be revised to \$54.22, and Sunday and holiday rate will be revised to \$69.38. These fees would cover expenses and maintain a reserve that would meet any reasonable contingency.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Agency Contact: John P. Duncan III, Deputy Administrator, Department of Agriculture, Agricultural Marketing Service, Ag Code 0280, Tobacco Programs, Room 502 Annex Bldg., P.O. Box 96456, Washington, DC 20090-6456
Phone: 202 205-0567
Fax: 202 205-0235
Email: john.duncan3@usda.gov
RIN: 0581–AB86

4. ● HASS AVOCADO PROMOTION, RESEARCH, AND INFORMATION ORDER

Priority: Routine and Frequent
Legal Authority: 7 USC 7801 to 7813
CFR Citation: 7 CFR 1219
Legal Deadline: None

USDA—AMS

Proposed Rule Stage

Abstract: Under the Hass Avocado Promotion, Research, and Information Order, Hass avocado producers and importers will pay an assessment of 2.5 cents per pound on Hass avocados produced and imported into the U.S. The funds will be used by the Hass Avocado Board to increase demand for Hass avocados in the U.S.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
NPRM Comment Period End	07/00/01	
Referendum	09/00/01	
Final Action	11/00/01	
Final Action Effective	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Margaret B. Irby, Assistant Branch Chief, Department of Agriculture, Agricultural Marketing Service, Stop 0244, Fruit & Vegetable Programs, 14th & Independence Avenue SW, Washington, DC 20250-0244
Phone: 202 720-9915
Fax: 202 205-2800
Email: margaret.irby@usda.gov

RIN: 0581-AB92

5. • REVISION OF USER FEES FOR 2001 CROP COTTON CLASSIFICATION SERVICES TO GROWERS (CN-00-010)

Priority: Info./Admin./Other

Legal Authority: 7 USC 473a

CFR Citation: 7 CFR 28

Legal Deadline: Final, Statutory, June 1, 2001.

Abstract: This action would increase the user fees for cotton producers for the 2001 crop cotton classification services under the Cotton Statistics and Estimates Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Darryl Earnest, Assistant to the Associate Director, Department of Agriculture, Agricultural Marketing Service, Room 2633 - Stop 0224, Washington, DC
Phone: 202 720-2145
Fax: 202 690-1718

RIN: 0581-AB94

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Agricultural Marketing Service (AMS)

6. VOLUNTARY SHELL EGG REGULATIONS; REPACKAGING OF SHELL EGGS UNDER USDA'S GRADING PROGRAM

Priority: Other Significant

Legal Authority: 7 USC 1621 to 1627

CFR Citation: 7 CFR 56

Legal Deadline: None

Abstract: Currently about one-third of the Nation's table eggs are marketed under the voluntary shell egg-grading program. Shell egg processors that choose to use this service pay a fee to have graders in their plants monitor processing operations and verify the grade and size of eggs packaged into packages bearing the USDA grade shield. The proposal would provide that, in order to be officially identified with a USDA consumer grade shield, shell eggs must not be more than 15 days old (or some other period between 15 and 30 days if justified by public comment) and must not have been previously shipped for retail sale.

Timetable:

Action	Date	FR Cite
NPRM	07/27/99	64 FR 40522
NPRM Comment Period End	09/27/99	
Final Action	11/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David Bowden, Jr., Chief, Standardization Br., Poultry Programs, Department of Agriculture, Agricultural Marketing Service, Room 3944-S, MS 0259, 1400 Independence Avenue SW, Washington, DC 20250-0259
Phone: 202 720-3506
Fax: 202 690-0941
Email: david.bowden@usda.gov

RIN: 0581-AB56

7. HONEY RESEARCH, PROMOTION, AND CONSUMER INFORMATION ORDER

Priority: Routine and Frequent

Legal Authority: PL 105-185

CFR Citation: 7 CFR 1240

Legal Deadline: None

Abstract: This action amends the Honey Research, Promotion, and Consumer Information Order (Order) and its rules and regulations. The Order is authorized under the Honey Research, Promotion, and Consumer Information Act (Act) (October 30, 1984), as amended. The Act was most recently amended in the Agricultural Research Extension and Education

Reform Act of 1997, which was signed into law on June 23, 1998. This action would amend the Order to implement the numerous amendments contained in the Act.

Timetable:

Action	Date	FR Cite
NPRM	02/28/00	65 FR 10600
NPRM Comment Period End	04/28/00	
Second NPRM	08/07/00	65 FR 48324
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Kathie Birdsell, Research and Promotion Branch, Department of Agriculture, Agricultural Marketing Service, Room 2535-South, Stop 0244, Fruit and Vegetable Program, 14th and Independence Avenue SW, Washington, DC 20250-0244
Phone: 202 720-4835
Fax: 202 205-2800
Email: kathie.birdsell@usda.gov

RIN: 0581-AB84

USDA—AMS

Final Rule Stage

8. TOBACCO FEES AND CHARGES FOR MANDATORY INSPECTION: FEE INCREASE**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 511 et seq**CFR Citation:** 7 CFR 29**Legal Deadline:** None

Abstract: The U.S. Department of Agriculture (the Department) is increasing the fees and charges for mandatory inspection and certification of producer tobacco sold at designated auction markets. The current fee of \$.0083 per pound has been in effect since 1995. The new rate will be \$.0100

per pound. Due to reduced quotas, the volume of tobacco delivered for inspection has declined. An increase of \$.0017 per pound is necessary to adequately fund the level of service the industry desires.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/26/00	65 FR 34039
Interim Final Rule Effective	05/30/00	
Interim Final Rule Comment Period End	06/26/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: John P. Duncan III, Deputy Administrator, Department of Agriculture, Agricultural Marketing Service, Ag Code 0280, Tobacco Programs, Room 502 Annex Bldg., P.O. Box 96456, Washington, DC 20090-6456
Phone: 202 205-0567
Fax: 202 205-0235
Email: john.duncan3@usda.gov

RIN: 0581-AB87**DEPARTMENT OF AGRICULTURE (USDA)****Agricultural Marketing Service (AMS)**

Long-Term Actions

9. NATIONAL LABORATORY ACCREDITATION PROGRAM**Priority:** Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**Timetable:**

Action	Date	FR Cite
ANPRM	11/20/92	57 FR 54727
ANPRM Comment Period End	01/19/93	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined

Agency Contact: James V. Falk
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RIN: 0581-AB42

Phone: 202 720-9915
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RIN: 0581-AB62**11. CHANGES IN FEES FOR FEDERAL GRADING AND CERTIFICATION OF LIVESTOCK FOR CHICAGO MERCANTILE EXCHANGE FUTURES DELIVERIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 53**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

Agency Contact: John E. VanDyke
Phone: 202 720-6231
Fax: 202 690-3732
Email: john.vandyke@usda.gov

RIN: 0581-AB66**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State

Agency Contact: Larry R. Meadows
Phone: 202 720-1246
Fax: 202 690-4119
Email: larry.meadows@usda.gov

RIN: 0581-AB70**10. OLIVE OIL PROMOTION, RESEARCH, AND INFORMATION ORDER****Priority:** Routine and Frequent**CFR Citation:** 7 CFR 1217**Timetable:**

Action	Date	FR Cite
NPRM	08/26/99	64 FR 46754
NPRM Comment Period End	12/03/99	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Margaret B. Irby**12. PROGRAM TO ASSESS ORGANIC CERTIFYING AGENCIES****Priority:** Other Significant**CFR Citation:** 7 CFR 37**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/09/99	64 FR 30861
Interim Final Rule Effective	06/10/99	
Interim Final Rule Comment Period End	08/09/99	

Next Action Undetermined

13. REGULATIONS GOVERNING THE INSPECTION OF EGGS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 57**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

Agency Contact: Rex A. Barnes
Phone: 202 720-3271
Fax: 202 690-3165
Email: rex.barnes@usda.gov

RIN: 0581-AB74**14. VOLUNTARY GRADING OF SHELL EGGS (PY-01-002)****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 56**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

Agency Contact: Rex A. Barnes
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Fax: 202 690-3165

USDA—AMS

Long-Term Actions

Email: rex.barnes@usda.gov

RIN: 0581-AB88

15. DISCONTINUE THE OFFICIAL GRADING OF IMPORTED BEEF, LAMB, VEAL, AND CALF CARCASSES UNDER THE AUTHORITY OF THE AGRICULTURAL MARKETING ACT OF 1946**Priority:** Other Significant**CFR Citation:** 7 CFR 54**Timetable:**

Action	Date	FR Cite
NPRM	02/01/00	65 FR 4780
NPRM Comment Period End	04/03/00	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None**Agency Contact:** Craig A. Morris

Phone: 202 720-5705

Fax: 202 720-3499

Email: craig.morris@usda.gov

RIN: 0581-AB90

16. • SUBPART A—REGULATIONS GOVERNING THE INSPECTION AND GRADING SERVICE OF MANUFACTURED OR PROCESSED DAIRY PRODUCTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1621 to 1627**CFR Citation:** 7 CFR 58**Legal Deadline:** None

Abstract: These regulations have not been updated since December 1, 1976. The proposal will establish a revision of the existing regulations to strengthen program integrity, to update the regulations to accurately reflect inspection and grading services available, and to clarify the meaning of

the regulation provisions. The proposed changes are not expected to have any major impact on program participants as most participants are operating in a manner that is consistent with the proposed changes.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: F. Tracy Schonrock, Chief, Dairy Grading Branch, Department of Agriculture, Agricultural Marketing Service, Dairy Programs, Rm. 2746 S., P.O. Box 96457, Washington, DC 20090-6456

Phone: 202 720-3171

Fax: 202 720-2643

Email: tracy.schonrock@usda.gov

RIN: 0581-AB93

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Marketing Service (AMS)

Completed Actions

17. NATIONAL ORGANIC PROGRAM**Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** 7 CFR 205**Completed:**

Reason	Date	FR Cite
Final Action	12/21/00	65 FR 80548
Final Action Effective	02/20/01	
Delay of Effective Date until 04/21/2001	03/20/01	66 FR 15619

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** State, Tribal**Agency Contact:** Keith Jones

Phone: 202 720-3252

Fax: 202 690-3924

Email: keith.jones@usda.gov

RIN: 0581-AA40

Reason	Date	FR Cite
Final Action Effective	01/30/01	66 FR 8151
Date Postponed to 04/02/2001		

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: John E. VanDyke

Phone: 202 720-6231

Fax: 202 690-3732

Email: john.vandyke@usda.gov

RIN: 0581-AB64

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** Federal**Agency Contact:** Craig A. Morris

Phone: 202 720-5705

Fax: 202 720-3499

Email: craig.morris@usda.gov

RIN: 0581-AB69

20. CHANGES IN FEE FOR VOLUNTARY FEDERAL FRUITS AND VEGETABLES, PROCESSED**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	11/06/00	65 FR 66485
Final Action Effective	11/19/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** James R. Rodeheaver

Phone: 202 720-4693

Fax: 202 690-1087

Email: james.rodeheaver@usda.gov

RIN: 0581-AB85

18. LIVESTOCK MANDATORY REPORTING ACT OF 1999**Priority:** Economically Significant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Final Action	12/01/00	65 FR 75463

19. REGULATIONS GOVERNING THE CERTIFICATION OF SANITARY DESIGN AND FABRICATION OF EQUIPMENT USED IN THE PROCESSING OF LIVESTOCK AND POULTRY PRODUCTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 54**Completed:**

Reason	Date	FR Cite
Final Action	01/05/01	66 FR 1190
Final Action Effective	01/08/01	

USDA—AMS

Completed Actions

21. CHANGES IN FEES FOR SCIENCE AND TECHNOLOGY LABORATORY SERVICE (S&T-99-008 PR)**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 90 to 94; 7 CFR 98**Completed:**

Reason	Date	FR Cite
Final Action	10/26/00	65 FR 64302
Final Action Effective	10/27/00	

Regulatory Flexibility Analysis Required: Yes**Government Levels Affected:** None**Agency Contact:** James V. Falk
Phone: 202 690-4089
Fax: 202 720-4631
Email: james.falk@usda.gov**RIN:** 0581-AB91
BILLING CODE 3410-02-S**DEPARTMENT OF AGRICULTURE (USDA)****Farm Service Agency (FSA)****Proposed Rule Stage****22. REGULATORY STREAMLINING OF THE FARM SERVICE AGENCY'S DIRECT FARM LOAN PROGRAMS****Priority:** Other Significant**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480**CFR Citation:** 7 CFR 7; 7 CFR 18**Legal Deadline:** None

Abstract: The Farm Service Agency (FSA) direct farm loan programs are still using the regulations and handbooks from the former Farmers Home Administration and still share many of its regulations, forms, and handbooks with the Rural Housing Service, Rural Utilities Service, and the Rural Business-Cooperative Services of the Rural Development Agency. This is very cumbersome and confusing to both Agency employees and the general public. This action will move all the direct farm loan program regulations from 7 CFR chapter 18 to 7 CFR chapter 7 and will allow FSA the opportunity to rewrite and re-engineer its direct farm loan program regulations. This action also consolidates a number of actions that were previously included in the regulatory agenda under separate RINs: 0560-AE04, 0560-AE07, 0560-AE09, 0560-AE11, 0560-AE13, 0560-AE14, 0560-AE15, 0560-AE37, 0560-AE87, 0560-AE88, 0560-AE90, 0560-AE98, and 0560-AE99.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and

Independence Avenue SW,
Washington, DC 20250
Phone: 202 205-5851
Fax: 202 720-5233
Email: tom_witzig@wdc.fsa.usda.gov
RIN: 0560-AF60

23. • LIVESTOCK INDEMNITY PROGRAM AND LIVESTOCK INDEMNITY PROGRAM FOR CONTRACT GROWERS**Priority:** Other Significant**Legal Authority:** PL 106-387**CFR Citation:** 7 CFR 1439**Legal Deadline:** None

Abstract: This rule implements provisions of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 related to the 2000 Livestock Indemnity Program (LIP 2000) and Livestock Indemnity Program for Contract Growers (LIP-CG). It will make benefits available under LIP 2000 for livestock losses incurred during calendar year (CY) 2000 and extend the availability of benefits under LIP-CG to include benefits for livestock losses incurred during the period January 1, 2000, through February 7, 2000. Other provisions of those programs will remain unchanged. \$10 million was appropriated for LIP; no new funding was provided for LIP-CG, but about \$9 million remains from LIP-CG funding for 1999.

Timetable:

Action	Date	FR Cite
Final Rule: LIP-CG	12/29/00	65 FR 82892
NPRM: LIP 2000	03/07/01	66 FR 13679
NPRM Comment	04/06/01	
Period End: LIP 2000		
Final Rule: LIP 2000	To Be Determined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250
Phone: 202 205-5851
Fax: 202 720-5233
Email: tom_witzig@wdc.fsa.usda.gov
RIN: 0560-AG33**24. • CONSERVATION RESERVE PROGRAM—FAILURE TO ESTABLISH COVER AND GOOD FAITH RELIANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 106-387**CFR Citation:** 7 CFR 1410**Legal Deadline:** None

Abstract: Section 817 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for FY 2001, amends section 1232 of the Food Security Act of 1985 to provide that the Secretary shall not terminate Conservation Reserve Program contracts for failure to establish an approved vegetative or water cover on the land if the failure to establish the cover was due to excessive rainfall or flooding, the land capable of being established to a cover is established to that cover, and the land on which the owner or operator was prevented from planting a cover is planted when the wet conditions subside. Section 755 of the Act authorized the Secretary to provide equitable relief to an owner or operator that has entered into a contract and is subsequently determined to be in violation of the contract, if the owner or operator in attempting to comply with the terms of the contract and enrollment requirements took actions in good faith reliance on the action or advice of an authorized representative

USDA—FSA

Proposed Rule Stage

of the Secretary. These actions are not expected to change program costs.

Timetable:

Action	Date	FR Cite
NPRM	03/15/01	66 FR 15048
NPRM Comment Period End	05/14/01	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250
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RIN: 0560-AG37

25. • IMPLEMENTATION OF THE U.S. WAREHOUSE ACT OF 2000

Priority: Other Significant

Legal Authority: PL 106-432

CFR Citation: 7 CFR 735 to 742

Legal Deadline: NPRM, Statutory, February 7, 2001.
Final, Statutory, May 8, 2001.

Abstract: The U.S. Warehouse Act of 2000 replaced the existing statutes governing federally licensed warehouses. This action implements that Act and will re-write all the CFR parts governing warehouses. The new statute requires the Secretary of Agriculture to promulgate new regulations that will revitalize and

streamline the Federal program governing agricultural commodity warehouses on or before August 1, 2001. This will make U.S. agriculture more competitive in both domestic and foreign markets through efficiencies and cost savings provided by today's computer technology and information management systems.

The Warehouse Act of 2000 makes this program more relevant to today's agricultural marketing system. The statute and its regulations authorize and standardize electronic documents and allow their transfer from buyer to seller across State and international boundaries. This new paperless flow of agricultural commodities from farm gate to end-user will provide significant savings and efficiencies for farmers across the Nation.

The Congress originally enacted the USWA in 1916, and it was subsequently amended in 1919, 1923, and 1931. However, since that time, the authorizing legislation for this program has seen little change. At the same time, U.S. agriculture and our society have seen drastic changes. Computer technology has revolutionized our world and laptops and handheld computers have become commonplace. The new USWA provides USDA the tools to bring its agricultural warehouse program fully into the information age. The new USWA allows federally licensed warehouse operators to issue electronic warehouse receipts for any approved agricultural product, an authority previously granted to cotton, as well as electronically transmit other business documents, such as grade and weight certificates, certificates, bills of lading, export evidence certificates, and business-related documents required by letters of credit.

In 1992, the Congress directed the Secretary of Agriculture to establish electronic warehouse receipts for the cotton industry. Since then, participation in the electronic-based program has grown to more than 90 percent of the U.S. cotton crop. Recently, the cotton industry estimated that this electronic system saves them \$5 to \$15 per bale, a savings of more than \$275 million per year. The proposed legislation would extend this electronic warehouse receipt program to all agricultural commodities covered by the U.S. Warehouse Act. This reduced paperwork, increased efficiency, and substantial time savings will make U.S. agriculture more competitive in world markets.

The USWA is paid for through user fees. Therefore, implementation of the USWA is basically budget neutral statute.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	
Final Rule	08/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0560-AG45

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Farm Service Agency (FSA)

26. PART 1946 MEDIATION; SUBPART A—AGRICULTURAL LOAN MEDIATION PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1989; 7 USC 301; PL 103-354, sec 282; PL 106-472, sec 306

CFR Citation: 7 CFR 1946 subpart A

Legal Deadline: Final, Statutory, October 13, 1994.

Abstract: Legislation expanded the State Mediation Programs to include wetland determinations, conservation compliance, and other issues the Secretary deems appropriate. This action will establish procedures for certification and for administering the matching grant program, and set out the Department's duties to participate in such programs. The USDA Reorganization Act of 1994 requires mediation to be a part of the informal

hearing process when an officer, employee, or committee of an agency makes an adverse decision. The legislation also requires certification of a State's Mediation Program in order to participate in mediation pursuant to a State's Certified Mediation Program and to enable a State to receive a Federal matching grant(s) to be used for the operation and administration of the program. The Agriculture Improvement Act of 1992 increased the percentage

USDA—FSA

Final Rule Stage

of grants to 70 percent from 50 percent of the cost of a State's program, limited to \$500,000, whichever is the lesser. The Reorganization Act of 1994 extended the mediation program authority through fiscal year 2000. The Grain Standards and Warehouse Improvement Act of 2000 (Pub. L. 106-472) re-authorizes the mediation program by extending it until 2005, clarifies that funds appropriated by Congress to the mediation program be used for farm credit cases, including USDA direct and guaranteed loans and loans from commercial entities, and stresses that mediation services can facilitate counseling services to prepare farmers prior to mediation.

Timetable:

Action	Date	FR Cite
NPRM	11/09/99	64 FR 61034
NPRM Comment Period End	01/10/00	
Final Rule	06/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: State

Additional Information: This entry was reported as RIN 0575-AB91 prior to the reorganization of USDA.

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RIN: 0560-AE26

27. LAMB MEAT ADJUSTMENT ASSISTANCE PROGRAM

Priority: Other Significant

Legal Authority: 7 USC 612c

CFR Citation: 7 CFR 784

Legal Deadline: None

Abstract: This program will provide monetary assistance to eligible sheep and lamb producers who have recently experienced record low prices and poor market conditions due the recent surge of low-priced, imported lamb meat. Lamb meat is being imported into the United States in such increased quantities as to be a substantial cause of threat of serious injury to the domestic lamb meat industry. During

the first year of the program, benefits will be provided to eligible sheep and lamb producers throughout the United States based on the number of rams purchased, the number of sheep enrolled in the National Sheep Improvement Program, and the cost of lambing facility improvements during the period August 1, 1999, through July 31, 2000. During the second and third year, benefits will be provided to eligible sheep and lamb producers throughout the United States based on the number of slaughter lamb and feeder lamb marketed, grade, weight, and muscling during the period August 1, 2000, through July 31, 2002. The expected cost is \$30 million.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	06/19/00	
Interim Final Rule	06/21/00	65 FR 38412
Interim Final Rule Comment Period End	07/21/00	
Final Rule	07/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0560-AG17

28. • REDUCTION OF AMORTIZED SHARED APPRECIATION RECAPTURE INTEREST RATE

Priority: Other Significant

Legal Authority: PL 87-128; PL 106-387

CFR Citation: 7 CFR 761; 7 CFR 1910; 7 CFR 1927; 7 CFR 1941; 7 CFR 1943; 7 CFR 1945

Legal Deadline: None

Abstract: The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act (Pub. L. 106-387) did not adequately fund the Agency's administrative expenses associated with loan making and loan servicing

functions. Specifically, the administrative expenses associated with loan making and loan servicing for fiscal year 2001 are estimated to exceed the \$4.3 million appropriated. When the funds appropriated are expended, which is estimated to occur around June or July 2001, the Agency will have no alternative but to discontinue all loan making and servicing activities requiring the expenditure of administrative program funds. Applicants and borrowers would experience delays in receiving loan making and servicing assistance. In certain situations, the Government's security interest may be adversely affected. Public Law 87-128, the Consolidated Farm and Rural Development Act, CONACT sec 307(b) and sec 339(a), provides the legal authority to charge applicants and borrowers fees associated with administering the loan program. Therefore, the Agency intends to begin charging applicants and borrowers (those currently indebted to USDA, FSA) a portion of the fee associated with real estate appraisals. This action, when approved, will conform to lending practices currently in use by commercial agricultural lenders. The expected cost to the public will be about \$2.3 million.

Timetable:

Action	Date	FR Cite
Final Action	08/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

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RIN: 0560-AG43

29. • COLLECTING GUARANTEED LOSS PAYMENTS FROM FSA FARM LOAN PROGRAM BORROWERS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 3716

CFR Citation: 7 CFR 762

Legal Deadline: None

USDA—FSA

Final Rule Stage

Abstract: This action will revise FSA regulations to provide that any amounts paid by FSA on account of a guaranteed loan borrower will constitute a Federal debt owed to FSA by the guaranteed loan borrower. The rule will not affect any guaranteed borrowers who have had loss claims paid on their guaranteed loans at the present time. Under the new rule, when farmers apply for a guaranteed loan, they will sign a loan application, which includes a section entitled "Federal Debt," in which they agree that any amounts paid by FSA on account of the liabilities of the guaranteed loan borrower will constitute a Federal debt owed to FSA by the guaranteed loan borrower. In such cases, FSA may use all remedies available to it, including

offset under the Debt Collection Improvement Act, to collect the debt from the borrower. It will affect only those guaranteed borrowers who have a loss claim paid by FSA to the lender from whom they received a guaranteed loan. Currently, there are approximately 40,000 guaranteed farm loan borrowers with 67,000 loans. Approximately 1,200 loss claims are paid on guaranteed loans per year, and approximately 100 of those loans are discharged in bankruptcy, leaving approximately 1,100 loans that could be considered for offset.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 0560–AG44

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Farm Service Agency (FSA)

30. SELECTION AND FUNCTIONS OF FARM SERVICE AGENCY STATE AND COUNTY COMMITTEES**Priority:** Info./Admin./Other**CFR Citation:** 7 CFR 7**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 0560–AE33

31. AMENDMENTS TO THE STANDARDS FOR APPROVAL OF WAREHOUSE FOR COMMODITY CREDIT CORPORATION STORAGE CONTRACTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1421; 7 CFR 1423; 7 CFR 1427**Timetable:**

Action	Date	FR Cite
NPRM-Part 1421	To Be Determined	
NPRM-Part 1423	To Be Determined	
NPRM-Part 1427	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 0560–AE50

32. DELETION OF FSA REGULATIONS REGARDING COLORADO RIVER BASIN SALINITY CONTROL PROGRAM**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 702; 7 CFR 703; 7 CFR 752**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 0560–AE54

33. AMENDMENTS TO THE DEBT SETTLEMENT POLICIES AND PROCEDURES TO CONFORM TO THE DEBT COLLECTION IMPROVEMENT ACT OF 1996**Priority:** Other Significant**CFR Citation:** 7 CFR 792; 7 CFR 1403; 7 CFR 1404**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 0560–AF22

34. AMENDMENT TO THE FARM RECONSTITUTION REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 718**Timetable:**

Action	Date	FR Cite
NPRM	02/04/00	65 FR 5444
NPRM Comment Period End	03/06/00	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 0560–AF36

USDA—FSA

Long-Term Actions

35. DAIRY RECOURSE LOAN PROGRAM**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1430**Timetable:**

Action	Date	FR Cite
NPRM	07/22/99	64 FR 39442
NPRM Comment Period End	09/07/99	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560–AF41**36. 1999-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560–AF50**37. REMOVE INTERNAL AGENCY PROVISIONS FROM FSA FARM CREDIT PROGRAM REGULATIONS FOR LIQUIDATION OF LOANS SECURED BY REAL ESTATE AND ACQUISITION OF REAL AND CHATTEL PROPERTY****Priority:** Info./Admin./Other**CFR Citation:** 7 CFR 1955**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560–AF53**38. SMALL HOG OPERATION PAYMENT PLAN****Priority:** Other Significant**CFR Citation:** 7 CFR 761**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	02/05/99	
Interim Final Rule	02/10/99	64 FR 6495
Interim Final Rule Comment Period End	03/12/99	
Interim Final Rule Comment Period End (Information Collections)	04/12/99	
Interim Final Rule Effective (SHOP II)	08/26/99	
Interim Final Rule	08/30/99	64 FR 47097
Interim Final Rule Comment Period End	09/29/99	
Interim Final Rule Comment Period End (Information Collections)	10/29/99	
Correction	11/17/99	64 FR 62565
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560–AF70**39. LOW DOCUMENTATION LOAN****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1910; 7 CFR 1941**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/09/01	66 FR 1570
Interim Final Rule Effective	01/09/01	
Interim Final Rule Comment Period End	03/12/01	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560–AF71**40. STREAMLINING OF THE EMERGENCY FARM LOAN PROGRAM REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1945**Timetable:**

Action	Date	FR Cite
NPRM	09/12/00	65 FR 54973
NPRM Comment Period End	11/13/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560–AF72**41. AMENDMENTS TO THE CONSERVATION RESERVE PROGRAM REGULATIONS REGARDING LAND ELIGIBILITY****Priority:** Other Significant**CFR Citation:** 7 CFR 1410**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560–AF77**42. 2000-CROP PEANUTS NATIONAL POUNDAGE QUOTA, NATIONAL AVERAGE LOAN RATES FOR QUOTA AND ADDITIONAL PEANUTS AND MINIMUM EXPORT-EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS****Priority:** Other Significant**CFR Citation:** 7 CFR 729; 7 CFR 1446**Timetable:**

Action	Date	FR Cite
NPRM	11/30/99	64 FR 66790

USDA—FSA

Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	12/10/99	
Quota Announcement	12/13/99	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AF83

43. 2000-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR FLUE-CURED TOBACCO
Priority: Other Significant

CFR Citation: 7 CFR 723; 7 CFR 1464

Timetable:

Action	Date	FR Cite
Quota Announcement	12/15/99	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AF84

44. DISASTER SET-ASIDE PROGRAM
Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1951

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/17/00	65 FR 31248
Interim Final Rule Comment Period End	07/17/00	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AF91

45. DESIGNATION OF NON-AUCTION TOBACCO
Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1464

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AG07

46. AGRICULTURAL DISASTER AND MARKET ASSISTANCE
Priority: Economically Significant.
 Major under 5 USC 801.

CFR Citation: 7 CFR 1411; 7 CFR 1427; 7 CFR 1439; 7 CFR 1464; 7 CFR 1478

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/08/00	65 FR 36550
Interim Final Rule Comment Period End	07/10/00	
Correction	08/01/00	65 FR 47840
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AG14

47. NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 2001 AND SUCCEEDING CROP YEARS
Priority: Economically Significant.
 Major under 5 USC 801.

CFR Citation: 7 CFR 1437

Timetable:

Action	Date	FR Cite
Interim Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AG20

48. NORTHEAST INTERSTATE DAIRY COMPACT
Priority: Other Significant

CFR Citation: 7 CFR 1430

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AG25

49. EMERGENCY CONSERVATION PROGRAM
Priority: Other Significant

CFR Citation: 7 CFR 701

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AG26

50. 2001-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR FLUE-CURED TOBACCO
Priority: Other Significant

CFR Citation: 7 CFR 723; 7 CFR 1464

Timetable:

Action	Date	FR Cite
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0560-AG28

USDA—FSA

Long-Term Actions

51. 2001-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO**Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
Direct Final Rule	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG29**52. 2001-CROP MARKETING AND PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
Final Rule	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG30**53. 2001-CROP PEANUTS NATIONAL POUNDAGE QUOTA, NATIONAL AVERAGE LOAN RATES FOR 2001-CROP QUOTA AND ADDITIONAL PEANUTS AND MINIMUM EXPORT EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS****Priority:** Other Significant**CFR Citation:** 7 CFR 729; 7 CFR 1421; 7 CFR 1446**Timetable:**

Action	Date	FR Cite
Announcement	12/15/00	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG31**54. • CONSERVATION OF FARMABLE WETLANDS****Priority:** Other Significant**Legal Authority:** 16 USC 3831 et seq., as amended by PL 106-387**CFR Citation:** 7 CFR 1410**Legal Deadline:** None

Abstract: Title XI of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for FY 2001 amended the statute governing the Conservation Reserve Program (CRP) to provide that the Secretary shall carry out during 2001 and 2002 a pilot program for the enrollment of wetland and buffer acreage in the CRP in the States of Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota. Wetlands must have been cropped in at least 3 of the immediately preceding 10 crop years, and buffer acreage must be contiguous to, and used to protect, the wetland. The maximum wetland size shall be 5 contiguous acres and the maximum buffer size shall be the greater of 3 times the size of the associated wetland or 150 feet on either side of the wetland. The maximum total tract size shall be 40 acres. Up to 500,000 acres may be enrolled in all of the States combined, with no more than 150,000 in any one State. Section 1105 of the Act exempts the promulgation of the regulations and administration of the program from the public notice requirements of 5 U.S.C. 553 and the requirements of the Paperwork Reduction Act. The program is not expected to change Government outlays.

Timetable:

Action	Date	FR Cite
Final Rule	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 0560-AG38**55. • TOBACCO LOSS ASSISTANCE PROGRAM AND AMENDMENTS TO THE TOBACCO MARKETING QUOTA REGULATIONS****Priority:** Other Significant**Legal Authority:** PL 106-387**CFR Citation:** 7 CFR 1464**Legal Deadline:** None

Abstract: Section 841 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 requires the Secretary to make payments to each person who owns or operates, or produces eligible tobacco on, a farm for which the quota was reduced from the 1999 to the 2000 crop year, without regard to the program's requirement under its original statute that the farm be used for production during the 2000 crop year. This will make payments available to producers who had been denied benefits because they did not use their quota during 2000. Payments to an eligible person shall be in the same amount as were made to an eligible person in the earlier program. This action will also implement the provisions of Public Law 106-224 regarding the lease, transfer, and sale of burley tobacco marketing quotas and allotments. These provisions are exempt from the public notice requirements of 5 U.S.C. 553 and will be issued as final. The expected cost is less than \$5 million.

Timetable:

Action	Date	FR Cite
Final Rule	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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USDA—FSA

Long-Term Actions

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RIN: 0560—AG40

56. • COLLECTION OF APPRAISAL FEES FOR FARM LOAN PROGRAMS, INSURED LOANS**Priority:** Substantive, Nonsignificant**Legal Authority:** section 307(b), PL 87-128; PL 106-387**CFR Citation:** 7 CFR 761; 7 CFR 1910; 7 CFR 1927; 7 CFR 1941; 7 CFR 1945; ...**Legal Deadline:** None**Abstract:** The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act (Pub. L. 106-387) did not adequately fund the Agency's administrative expenses associated with loan making and loan servicing functions. Specifically, the administrative expenses associated with loan making and loan servicing for

fiscal year 2001 are estimated to exceed the \$4.3 million appropriated. When the funds appropriated are expended, which is estimated to occur around June or July 2001, the Agency would have no alternative but to discontinue all loan making and servicing activities requiring the expenditure of administrative program funds. Applicants and borrowers would experience delays in receiving loan making and servicing assistance. In certain situations, the Government's security interest may be adversely affected. Public Law 87-128, the Consolidated Farm and Rural Development Act, CONACT sec 307(b) and sec 339(a), provides authority to charge applicants and borrowers fees associated with administering the loan program. Therefore, the Agency intends to begin charging applicants and borrowers (those currently indebted to USDA, FSA) a portion of the fee associated with real estate appraisals. This action, when approved, will

conform to lending practices currently in use by commercial agricultural lenders. The expected cost to the public is expected to be about \$2.3 million.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250
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RIN: 0560—AG42

DEPARTMENT OF AGRICULTURE (USDA)

Farm Service Agency (FSA)

Completed Actions

57. SMALL FARMER OUTREACH TRAINING AND TECHNICAL ASSISTANCE PROGRAM**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1943 subpart C**Completed:**

Reason	Date	FR Cite
No further action to be taken by FSA	02/15/01	

Regulatory Flexibility Analysis Required: Yes**Government Levels Affected:** State**Agency Contact:** Tom Witzig
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RIN: 0560—AE17

Completed:

Reason	Date	FR Cite
No further action to be taken	02/14/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig
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RIN: 0560—AE42Fax: 202 720-5233
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RIN: 0560—AF13

60. AMENDMENTS TO THE FORAGE PROVISIONS OF THE NONINSURED CROP DISASTER ASSISTANCE PROGRAM**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1437**Completed:**

Reason	Date	FR Cite
No further action to be taken	01/03/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig
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RIN: 0560—AF23

58. AMENDMENTS TO THE FARMER ACCOUNT SERVICING POLICIES**Priority:** Economically Significant**CFR Citation:** 7 CFR 1900; 7 CFR 1965; 7 CFR 1910; 7 CFR 1924; 7 CFR 1941; 7 CFR 1943; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956; 7 CFR 1962**59. AMENDMENT TO THE COTTON WAREHOUSE REGULATIONS REGARDING THE DEFINITION OF "UNNECESSARY DELAY"****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 735**Completed:**

Reason	Date	FR Cite
Final Action	10/25/00	65 FR 63765

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig
Phone: 202 205-5851

USDA—FSA

Completed Actions

61. SUGAR PROGRAM INFORMATION REPORTING AND RECORDKEEPING REQUIREMENTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1435**Completed:**

Reason	Date	FR Cite
Withdrawn- Rulemaking not needed	11/29/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AF31**62. DEBT SETTLEMENT FOR INDIAN TRIBAL LAND ACQUISITION LOANS****Priority:** Other Significant**CFR Citation:** 7 CFR 1823; 7 CFR 1951**Completed:**

Reason	Date	FR Cite
Final Rule	01/09/01	66 FR 1563
Final Rule Effective	04/09/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Tribal**Agency Contact:** Tom Witzig

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RIN: 0560-AF43**63. NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 1998 AND SUCCEEDING CROP YEARS****Priority:** Other Significant**CFR Citation:** 7 CFR 1437**Completed:**

Reason	Date	FR Cite
No further action to be taken	01/03/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AF46**64. CLEANING AND REINSPECTION OF FARMERS' STOCK PEANUTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1446**Completed:**

Reason	Date	FR Cite
Final Action	01/10/01	66 FR 1807
Correction	02/15/01	66 FR 10353

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AF56**65. AMENDMENTS TO THE REGULATIONS GOVERNING THE PEANUT POUNDAGE QUOTA AND PRICE SUPPORT PROGRAMS****Priority:** Other Significant**CFR Citation:** 7 CFR 714; 7 CFR 729; 7 CFR 1446**Completed:**

Reason	Date	FR Cite
Final Action	10/30/00	65 FR 64594

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AF61**66. PRODUCTION FLEXIBILITY CONTRACTS FOR WHEAT, FEED GRAINS, RICE, AND UPLAND COTTON****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1412.401**Completed:**

Reason	Date	FR Cite
NPRM	10/06/00	65 FR 59759
Withdrawn	04/20/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AF79**67. SUSPENSION OF COLLECTION OF RECAPTURE AMOUNT FOR BORROWERS WITH CERTAIN SHARED APPRECIATION AGREEMENTS****Priority:** Other Significant**CFR Citation:** 7 CFR 1951**Completed:**

Reason	Date	FR Cite
Final Rule	08/18/00	65 FR 50401

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AF80**68. 2000-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Completed:**

Reason	Date	FR Cite
Final Rule	12/15/00	65 FR 78405

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AF85**69. 2000-CROP MARKETING QUOTAS AND PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Completed:**

Reason	Date	FR Cite
Final Rule	10/30/00	65 FR 64589

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AF86

USDA—FSA

Completed Actions

70. NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 1999 AND SUCCEEDING YEARS**Priority:** Other Significant**CFR Citation:** 7 CFR 1437**Completed:**

Reason	Date	FR Cite
Merged With RIN 0560-AG20	12/14/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom_witzig@wdc.fsa.usda.gov

RIN: 0560-AF90**71. FARM STORAGE FACILITY LOAN PROGRAM****Priority:** Economically Significant.
Major under 5 USC 801.**CFR Citation:** 7 CFR 1436**Completed:**

Reason	Date	FR Cite
Final Rule	01/18/01	66 FR 4607

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG00**72. CLARIFICATION OF CASH FLOW MARGIN REQUIREMENTS FOR FARM SERVICE AGENCY GUARANTEED LOANS****Priority:** Other Significant**CFR Citation:** 7 CFR 762**Completed:**

Reason	Date	FR Cite
Final Rule	01/24/01	66 FR 7565
Final Rule Effective	02/23/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG15**73. BIOENERGY PROGRAM****Priority:** Economically Significant.
Major under 5 USC 801.**CFR Citation:** 7 CFR 1424**Completed:**

Reason	Date	FR Cite
Final Rule	11/13/00	65 FR 67608

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG16**74. 2000-CROP AGRICULTURAL DISASTER AND MARKET ASSISTANCE****Priority:** Economically Significant.
Major under 5 USC 801.**CFR Citation:** 7 CFR 1411; 7 CFR 1421;
7 CFR 1427; 7 CFR 1434; 7 CFR 1439**Completed:**

Reason	Date	FR Cite
Final Rule	11/02/00	65 FR 65709

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG18**75. MARKET ASSISTANCE FOR TOBACCO, WOOL AND MOHAIR, AND COTTONSEED****Priority:** Economically Significant.
Major under 5 USC 801.**CFR Citation:** 7 CFR 1427; 7 CFR 1464;
7 CFR 1469**Completed:**

Reason	Date	FR Cite
Final Rule	11/02/00	65 FR 64718

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG19**76. AMENDMENTS TO THE TOBACCO PROGRAM REGULATIONS****Priority:** Other Significant**CFR Citation:** 7 CFR 723**Completed:**

Reason	Date	FR Cite
Merged With RIN 0560-AG40	01/02/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG21**77. GRAZING PAYMENTS FOR 2001 WHEAT, BARLEY, OR OATS****Priority:** Other Significant**CFR Citation:** 7 CFR 1421**Completed:**

Reason	Date	FR Cite
Final Rule	03/06/01	66 FR 13402

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG22**78. SPECIAL APPLE PROGRAM AND EMERGENCY LOAN FOR SEED PRODUCERS PROGRAM****Priority:** Other Significant**CFR Citation:** 7 CFR 773; 7 CFR 774**Completed:**

Reason	Date	FR Cite
Final Rule	12/06/00	65 FR 76115

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG23

USDA—FSA

Completed Actions

79. HANDLING PAYMENTS FROM THE FARM SERVICE AGENCY TO DELINQUENT FARM CREDIT PROGRAM BORROWERS**Priority:** Other Significant**CFR Citation:** 7 CFR 1951**Completed:**

Reason	Date	FR Cite
Final Rule	08/21/00	65 FR 50598

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG24**80. SUGAR PAYMENT-IN-KIND PROGRAM****Priority:** Economically Significant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Notice	08/23/00	65 FR 51280

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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RIN: 0560-AG27**81. • LIVESTOCK ASSISTANCE, AMERICAN INDIAN LIVESTOCK FEED, PASTURE RECOVERY, AND DAIRY PRICE SUPPORT PROGRAMS****Priority:** Economically Significant.
Major under 5 USC 801.**Legal Authority:** PL 106-387**CFR Citation:** 7 CFR 1430; 7 CFR 1439**Legal Deadline:** None

Abstract: This rule implements provisions of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 related to the Livestock Assistance (LAP), American Indian Livestock Feed (AILFP), Pasture Recovery (PRP), and Dairy Price Support Programs. LAP, AILFP, and PRP are being extended to cover disaster-related losses that occurred in

calendar year 2000, and Dairy Price Support is extended through calendar year 2001. Also, LAP, AILFP, and PRP are exempt from the public notice requirements of 5 U.S.C. 553 and will be issued as final. Dairy is not exempt and will be issued as interim. The expected cost is LAP: \$438 million; AILFP: \$12 million; PRP: \$40 million; Dairy Price Support: Not yet determined.

Timetable:

Action	Date	FR Cite
Final Rule	03/19/01	66 FR 13679

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Tribal

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RIN: 0560-AG32

82. • DAIRY, HONEY, AND CRANBERRY MARKET LOSS ASSISTANCE AND SUGAR PROGRAMS**Priority:** Economically Significant.
Major under 5 USC 801.**Legal Authority:** PL 106-387**CFR Citation:** 7 CFR 1400; 7 CFR 1430; 7 CFR 1434; 7 CFR 1435**Legal Deadline:** None

Abstract: This action will implement the provisions of the 2001 Appropriations Act regarding the Dairy Market Loss Assistance Program (DMLAP), honey marketing assistance loans, cranberry purchases and payments, payment limitations, and sugar non-recourse loans. Under DMLAP, benefits will be 35 percent of the reduction in market value from the previous 5-year average. Under the honey program, non-recourse marketing assistance loans will be made at the rate of 65 cents per pound. For cranberries, market loss payments will be made on the basis of 1999 production, up to a total of 1.6 million pounds. The Sugar Program will be changed to provide nonrecourse instead

of recourse loans for sugar. Finally, this rule will revise the payment limitations for marketing loan gains and loan deficiency payments, for 2000 only, from \$75,000 to \$150,000. The statute exempted these provisions from the public notice requirements of 5 U.S.C., and they are thus issued as final. Expected Cost: DMLAP: \$667 million; Honey: \$26 million; Cranberry: \$20 million; Sugar: None; Payment Limitations: Not yet determined, but likely to be relatively insignificant.

Timetable:

Action	Date	FR Cite
Final Rule	03/15/01	66 FR 15172

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250
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RIN: 0560-AG34

83. • WOOL, MOHAIR, AND APPLES**Priority:** Economically Significant**Legal Authority:** PL 106-387**CFR Citation:** 7 CFR 1469; 7 CFR 1478**Legal Deadline:** None

Abstract: Section 811 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for FY 2001 provides that the Secretary shall make payments to apple producers to provide relief for loss of markets. Payments are to be made on a per pound basis equal to either of a producer's 1998 and 1999 production, or an average of the 2 years, up to a maximum of 1.6 million pounds for a particular farm. Section 814 of the Act provides that the Secretary shall make direct payments to wool and mohair producers, for the 2000 marketing year, at the rate of 40 cents per pound. The statute exempted these provisions from the public notice requirements of 5 U.S.C. 553, and they are thus issued as final. Expected Cost: Apples: \$100

USDA—FSA

Completed Actions

million is available until expended; Wool and Mohair: \$20 million.

Timetable:

Action	Date	FR Cite
Final Action	03/03/01	66 FR 13839

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250
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RIN: 0560-AG35

84. • 2000 CROP DISASTER PROGRAM

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: PL 106-387

CFR Citation: 7 CFR 1480

Legal Deadline: None

Abstract: Section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for FY 2001 provides that the Secretary shall make payments to producers for 2000 crop losses in the same manner as was done for the 1999 Crop and Market Loss Program. Payments may be made for quantity, quality, or severe economic losses. Section 811 of the Act provides, separately, for \$38 million in payments to apple and potato producers for quality losses for the 1999 and 2000 crop that were due to fireblight or weather-related disaster, without payment limits. Finally, section 807 of the Act extends coverage of the 1999 Program to include nursery stock losses due to Hurricane Irene on October 16 and 17, 1999. The statute exempted these provisions from the public notice requirements of 5 U.S.C. 553, and they are thus issued as final. Expected Cost: Crop Loss: \$2 billion;

Apples and Potatoes: \$38 million; Nursery Stock: About \$60 million may be available.

Timetable:

Action	Date	FR Cite
Final Rule	03/21/01	66 FR 15976

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0560-AG36

85. • 2001 DAIRY INDEMNITY PAYMENT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-387

CFR Citation: 7 CFR 760

Legal Deadline: None

Abstract: The Dairy Indemnity Payment Program indemnifies dairy farmers for milk dumped because of contamination that was not the fault of the producer and indemnifies dairy manufacturers for dairy products removed from the market through no fault of their own. This action is needed to reauthorize the program through 9/30/01 in accordance with the FY 2001 Appropriations Act. Reauthorization of the program is mandatory. The Act appropriated \$450,000.

Timetable:

Action	Date	FR Cite
Final Rule	01/12/01	66 FR 2800

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tom Witzig, Chief, Regulatory Review and Foreign

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RIN: 0560-AG39

86. • LIMITED CALIFORNIA COOPERATIVE INSOLVENCY PAYMENT PROGRAM

Priority: Other Significant

Legal Authority: PL 106-387

CFR Citation: 7 CFR 1481

Legal Deadline: None

Abstract: This rule sets forth the regulations for the Limited California Cooperative Insolvency Payment Program authorized by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001. Fruit and vegetable producers who are members of a large California cooperative recently suffered losses due to the insolvency of that cooperative. Congress has designated \$20 million for their benefit. This rule implements that program.

Timetable:

Action	Date	FR Cite
Final Rule	03/13/01	66 FR 14479
Correction	04/12/01	66 FR 18869

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0560-AG41

BILLING CODE 3410-05-S

DEPARTMENT OF AGRICULTURE (USDA)
Animal and Plant Health Inspection Service (APHIS)**Proposed Rule Stage****87. PLANT PEST REGULATIONS;
UPDATE OF CURRENT PROVISIONS
(SECTION 610 REVIEW)****Priority:** Other Significant**Legal Authority:** 7 USC 450; 7 USC 2260; 7 USC 7701-7772; 19 USC 1306; 21 USC 111, 114a, 136 and 136a; 31 USC 9701; 42 USC 4331 and 4332**CFR Citation:** 7 CFR 330**Legal Deadline:** None

Abstract: APHIS is undertaking rulemaking to amend its plant pest regulations by: (1) Setting out the criteria that will be used by APHIS when considering whether an organism is a plant pest; (2) adding a permit category for organisms that would be released into the environment for purposes such as the biological control of weeds; (3) establishing a notification system that could be used in place of permits for the importation and interstate movement of regulated organisms; and (4) revising or amending existing portions of the regulations to clarify or update requirements, eliminate redundancy, and make the regulations easier for the public to use. This action will serve as a follow-up to the advance notice of proposed rulemaking that APHIS published in the Federal Register on September 27, 1996, to solicit input on the need for regulatory changes and alternative methods of addressing plant pest risk.

Timetable:

Action	Date	FR Cite
ANPRM	09/27/96	61 FR 50767
ANPRM Comment Period End	12/26/96	
NPRM	05/00/01	
NPRM Comment Period End	07/00/01	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: Dr. Robert Flanders, Permits and Risk Assessment, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 141, 4700 River Road, Riverdale, MD 20737-1228
Phone: 301 734-5930

RIN: 0579-AA80**88. IMPORTATION OF SOLID WOOD
PACKING MATERIAL****Priority:** Economically Significant.
Major under 5 USC 801.**Legal Authority:** 7 USC 166 and 450;
7 USC 7701-7772**CFR Citation:** 7 CFR 319**Legal Deadline:** None

Abstract: APHIS is undertaking rulemaking to strengthen restrictions on the importation of solid wood packing material (e.g., crates, dunnage, wooden spools, pallets, packing blocks) into the United States. Imported solid wood packing material (SWPM) has been linked to introductions of exotic plant pests, such as the pine shoot beetle and the Asian longhorned beetle. These and other plant pests that could be carried by imported SWPM pose a serious threat to U.S. agriculture and to natural, cultivated, and urban forests. SWPM accompanies nearly all types of imported commodities, from fruits and vegetables to machinery and electrical equipment.

Timetable:

Action	Date	FR Cite
ANPRM	01/20/99	64 FR 3049
ANPRM Comment Period End	03/22/99	
Notice	07/07/99	64 FR 36608
Comment Period End	09/07/99	
Notice	10/17/00	65 FR 61301
NPRM	12/00/01	
NPRM Comment Period End	02/00/02	

**Regulatory Flexibility Analysis
Required:** Undetermined**Government Levels Affected:**
Undetermined

Agency Contact: Dr. Robert Flanders, Permits and Risk Assessment, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 141, 4700 River Road, Riverdale, MD 20737-1228
Phone: 301 734-5930
RIN: 0579-AA99

**89. BLOOD AND TISSUE COLLECTION
AT LIVESTOCK SLAUGHTERING
ESTABLISHMENTS****Priority:** Other Significant**Legal Authority:** 21 USC 111 to 113;
21 USC 114a; 21 USC 114a-1; 21 USC 115 to 117; 21 USC 120 to 126; 21 USC 134b; 21 USC 134f**CFR Citation:** 9 CFR 71**Legal Deadline:** None

Abstract: We are considering establishing requirements for the collection of blood and tissue samples from livestock (horses, cattle, bison, sheep, and swine) and poultry at slaughter establishments when it is necessary for disease surveillance. Under this proposal, any person who moves an animal interstate for slaughter could only move the animal to a slaughter establishment that has been approved by the Administrator. The Administrator would approve a slaughter establishment after determining that it is not necessary to conduct testing at the establishment or determining that it is necessary to conduct testing at the establishment and the establishment provides space and facilities to collect blood and tissue samples for disease testing. This collection of blood and tissue samples would enable us to identify animals at slaughter that are affected by various communicable diseases. This change would affect persons moving animals interstate for slaughter, slaughter plants that receive animals in interstate commerce, and in cases where an animal that tests positive can be successfully traced back to its herd or flock of origin, the owners of such herds or flocks. The long-term effects of this change would be to improve surveillance programs for animal diseases and to contribute to the eventual control or eradication of such diseases.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis
Required:** Undetermined**Government Levels Affected:**
Undetermined

Agency Contact: Dr. Diane Sutton, Senior Staff Veterinarian, VS, National Animal Health Programs, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 43, Riverdale, MD 20737-1231
Phone: 301 734-4363

RIN: 0579-AB13

USDA—APHIS

Proposed Rule Stage

90. IMPORTATION OF UNSHU ORANGES**Priority:** Other Significant**Legal Authority:** 21 USC 136 and 136a; 7 USC 166; 7 USC 450; 7 USC 7701-7772**CFR Citation:** 7 CFR 319.28**Legal Deadline:** None

Abstract: We are proposing to amend the regulations governing the importation of citrus fruit to allow, under certain conditions, Unshu oranges grown on Kyushu Island, Japan, to be imported into the United States. We are also proposing to amend the regulations for importing Unshu oranges from Honshu Island, Japan, by requiring fumigation using methyl bromide prior to exportation and by allowing the fruit to be imported into commercial citrus-producing areas of the United States. In addition, we are proposing to remove the requirement for individually wrapping Unshu oranges imported from Japan or the Republic of Korea. These actions would relieve restrictions on the importation into and distribution within the United States of Unshu oranges without presenting a significant risk of introducing citrus canker or other diseases or pests of plants.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	
NPRM Comment Period End	06/00/01	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** No**Government Levels Affected:** Undetermined

Agency Contact: Dr. Inder Paul Gadh, Senior Staff Officer, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236

Phone: 301 734-6799

RIN: 0579-AB17

91. PHYTOSANITARY CERTIFICATES FOR IMPORTED FRUITS AND VEGETABLES**Priority:** Other Significant**Legal Authority:** 7 USC 166; 7 USC 450; 7 USC 7701 to 7772; 21 USC 136 and 136a**CFR Citation:** 7 CFR 319.56 through 319.56-8**Legal Deadline:** None

Abstract: Currently APHIS does not require a phytosanitary certificate to accompany fruits and vegetables imported into the United States except for certain fruits and vegetables grown in designated foreign regions. This proposed rule would amend our regulations to require that a phytosanitary certificate accompany all fruits and vegetables imported into the United States, with certain exceptions. This proposal would include commercial produce imported into the United States, as well as fruits and vegetables brought in by travelers. We would exempt from this requirement fruits and vegetables that are dried, cured, frozen, or processed, as well as fruits and vegetables that travelers and shoppers bring into the United States for personal use through land ports-of-entry located along the Canadian and Mexican borders. If implemented, this proposal would require changes in the practices of importers and travelers who bring produce into the United States from other countries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	
NPRM Comment Period End	06/00/01	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Wayne Burnett, Senior Import Specialist, PIM, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236

Phone: 301 734-6799

RIN: 0579-AB18

92. BEES, BEEKEEPING BYPRODUCTS, AND BEEKEEPING EQUIPMENT (SECTION 610 REVIEW)**Priority:** Other Significant**Legal Authority:** 7 USC 281; 7 USC 7701 to 7772**CFR Citation:** 7 CFR 319; 7 CFR 322**Legal Deadline:** None

Abstract: We propose to revise the regulations for the importation of honeybees and honeybee semen.

Among other things, we propose to allow, under certain conditions, the importation into the United States of honeybees from Australia and honeybees and honeybee germ plasm from New Zealand. We also propose changes to make these regulations more consistent with standards established by the Office International des Epizooties, to update them to reflect current research and terminology, and to simplify them and make them more useful.

In addition, we propose to combine the regulations for the importation of honeybees and honeybee semen with the regulations established to prevent the introduction of exotic bee diseases and parasites through the importation of bees other than honeybees, certain beekeeping byproducts, and used beekeeping equipment. This change would make the regulations more useful by consolidating all of the requirements related to the importation of bees, beekeeping byproducts, and used beekeeping equipment into one part.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Dr. Wayne Whelung, Permits and Risk Assessment, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 141, 4700 River Road, Riverdale, MD 20737-1228

Phone: 301 734-8757

RIN: 0579-AB20

93. EXPORTATION OF LIVESTOCK (SECTION 610 REVIEW)**Priority:** Substantive, Nonsignificant

Legal Authority: 21 USC 105; 21 USC 112; 21 USC 113; 21 USC 114a; 21 USC 120; 21 USC 121; 21 USC 134b; 21 USC 134f; 21 USC 136; 21 USC 136a; 21 USC 612; 21 USC 613; 21 USC 614; 21 USC 618; 46 USC 466a and 466b; 49 USC 1509(d)

CFR Citation: 9 CFR 91**Legal Deadline:** None

Abstract: Cyclical review of 9 CFR part 91 "Importation and Handling of Livestock for Exportation." We will

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propose specific changes after we thoroughly review the existing requirements. At this time, we do not know the potential cost and benefits.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Dr. Najam Faizi, Senior Staff Veterinarian, National Center for Import and Export, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 38, 4700 River Road, Riverdale, MD 20737-1231
Phone: 301 734-4356

RIN: 0579-AB21

94. VETERINARY DIAGNOSTIC USER FEES—5-YEAR PLAN FOR FEES (SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5542; 7 USC 1622; 19 USC 1306; 21 USC 102 to 105; 21 USC 111; 21 USC 114 and 114a; 21 USC 134a; 21 USC 134b; 21 USC 134c; 21 USC 134d; 21 USC 134f; 21 USC 135; 21 USC 136 and 136a; 31 USC 3701; 31 USC 3716; 31 USC 3717; 31 USC 3719; 31 USC 3720A

CFR Citation: 9 CFR 130

Legal Deadline: None

Abstract: We are proposing user fees for multiple fiscal years for APHIS' Veterinary Services' veterinary diagnostic user fee goods and services. We are proposing this action in order to ensure that we recover the full costs of providing these goods and services.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Donna Ford, User Fee Section Head, FSSB, BASE, MRPBS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236
Phone: 301 734-8351

RIN: 0579-AB22

95. NURSERY STOCK REGULATIONS (SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 166 and 450; 7 USC 7701 to 7772

CFR Citation: 7 CFR 300; 7 CFR 319

Legal Deadline: None

Abstract: We are proposing to amend the regulations for importing nursery stock to provide additional treatment certifications for the importation of niger seed and lilac, to reflect recent changes in plant taxonomy and pest distributions, and to make various changes to the requirements for postentry quarantine of imported plants. We are also proposing several other amendments to update and clarify the regulations and improve their effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Wayne Burnett, Senior Import Specialist, PIM, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236
Phone: 301 734-6799

RIN: 0579-AB23

96. ANIMAL WELFARE—STANDARDS FOR MARINE MAMMALS (SECTION 610 REVIEW)

Priority: Other Significant

Legal Authority: 7 USC 2131 to 2159

CFR Citation: 9 CFR 3

Legal Deadline: None

Abstract: The Department of Agriculture regulates the treatment of certain marine mammals under the Animal Welfare Act. The present standards for treatment of these animals have been in effect for over 10 years. During this time, advances have been made and new information has been developed with regard to the housing and care of marine mammals. In addition to identifying regulatory provisions for revision based on negotiated rulemaking (described separately), the Department is conducting separate rulemaking to establish standards governing "swim with the dolphins" (SWTD) programs and to propose changes to the marine mammal standards on which consensus was not reached during negotiated rulemaking.

Timetable:

Action	Date	FR Cite
NPRM Marine Mammals (SWTD and other)	10/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234
Phone: 301 734-7833

RIN: 0579-AB24

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Animal and Plant Health Inspection Service (APHIS)

97. KARNAL BUNT

Priority: Other Significant

Legal Authority: 7 USC 166; 7 USC 7701-7772

CFR Citation: 7 CFR 301

Legal Deadline: None

Abstract: Karnal bunt is a fungal disease of wheat (*Triticum aestivum*), durum wheat (*Triticum durum*), and triticale (*Triticum aestivum* x *Secale cereale*), a hybrid of wheat and rye. In the absence of measures taken by the U.S. Department of Agriculture, the

establishment of Karnal bunt in the United States would have significant consequences with regard to the export of wheat to international markets. Prior to March 8, 1996, Karnal bunt was not known to exist in the United States. Since March 8, 1996, Karnal bunt has

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been detected within several States. In response, we have established regulations that define regulated areas in certain States because of Karnal bunt, restrict the movement of certain articles from the regulated areas to prevent the spread of Karnal bunt, and provide compensation for certain growers, handlers, and other individuals in the regulated areas to mitigate losses and expenses incurred because of actions taken by the Secretary to prevent the spread of Karnal bunt. As part of a continuing Karnal bunt program, we anticipate that the regulations concerning regulated areas, movement restrictions, and compensation will be revised as more is known about the Karnal bunt situation in the United States.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/05/96	61 FR 35102
NPRM	08/02/96	61 FR 40354
NPRM Comment Period End	09/03/96	
Final Rule Classifying Regulated Areas, Movement of Regulated Articles	10/04/96	61 FR 52190
Interim Final Rule Change Classification of Regulated Areas	05/01/97	62 FR 23620
Final Rule Compensation for 1995-96 Crop Season	05/06/97	62 FR 24746
NPRM Compensation for 1996-97 Crop Season	07/11/97	62 FR 37159
NPRM Compensation for Wheat Seed and Straw, 1995-96 Crop Season	07/30/97	62 FR 40756
Interim Final Rule Additions to Regulated Areas	11/24/97	62 FR 62504
Interim Final Rule Approved Treatments	12/05/97	62 FR 64263
Final Rule Compensation for Wheat Seed and Straw, 1995-96 Crop Season	01/09/98	63 FR 1321
NPRM Movement From Regulated Areas	01/28/98	63 FR 4198
Final Rule Compensation for 1996-97 Crop Season	06/10/98	63 FR 31593
AIR as Final Rule Approved Treatments	09/04/98	63 FR 47127

Action	Date	FR Cite
Final Rule Movement From Regulated Areas	09/23/98	63 FR 50747
NPRM Compensation for the 1997-98 Crop Season	12/17/98	63 FR 69563
NPRM Reclassification of Regulated Areas	03/09/99	64 FR 11392
NPRM Reclassification of Regulated Areas Comment Period End	04/08/99	64 FR 11392
Final Rule Reclassification of Regulated Areas	05/04/99	64 FR 23749
Final Rule Change Classification of Regulated Areas	06/02/99	64 FR 29541
Final Rule Compensation for the 1997-98 Crop Season	06/25/99	64 FR 34109
Proposed Rule Compensation for the 1999-2000 Crop Season	01/16/01	66 FR 3505
NPRM Comment Period End	03/19/01	
Final Rule	07/00/01	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State

Agency Contact: Dr. Vedpal Malik, National Karnal Bunt Coordinator, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 134, 4700 River Road, Riverdale, MD 20737-1236
Phone: 301 734-6774

RIN: 0579-AA83

98. INTERSTATE MOVEMENT OF SHEEP AND GOATS FROM STATES THAT DO NOT QUARANTINE SCRAPIE-INFECTED AND SOURCE FLOCKS (SECTION 610 REVIEW)

Priority: Other Significant

Legal Authority: 21 USC 111 to 114; 21 USC 114a; 21 USC 115; 21 USC 117; 21 USC 120 to 121; 21 USC 123 to 126; 21 USC 134a to 134h

CFR Citation: 9 CFR 54; 9 CFR 79**Legal Deadline:** None

Abstract: After soliciting public comment to help us develop options for potential changes to our regulations for the interstate movement of sheep

and goats, we believe changes are necessary to improve control and limit the spread of scrapie, a serious disease of sheep and goats. We are undertaking rulemaking to correlate Federal interstate movement restrictions with the effectiveness of individual State scrapie programs.

Timetable:

Action	Date	FR Cite
ANPRM	01/26/98	63 FR 3671
ANPRM Comment Period End	03/27/98	
NPRM	11/30/99	64 FR 66791
NPRM Comment Period End	01/14/00	
NPRM (reproposal)	08/15/00	65 FR 49770
NPRM Comment Period End	09/14/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Undetermined

Agency Contact: Dr. Diane Sutton, Senior Staff Veterinarian, VS, National Animal Health Programs, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Unit 43, Riverdale, MD 20737-1231
Phone: 301 734-4363

RIN: 0579-AA90

99. ANIMAL WELFARE; INSPECTION, LICENSING, AND PROCUREMENT OF ANIMALS (SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant**Legal Authority:** 7 USC 2131 to 2159**CFR Citation:** 9 CFR 1 and 2**Legal Deadline:** None

Abstract: This action would make several amendments to the Animal Welfare Act regulations to clarify them and improve their enforceability. In addition, it would amend a number of administrative procedures to make them more efficient. We believe these actions are necessary to help ensure compliance with the regulations and the Animal Welfare Act.

Timetable:

Action	Date	FR Cite
NPRM	08/04/00	65 FR 47908
NPRM Comment Period End	10/03/00	
Final Action	07/00/01	

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Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:**

Undetermined

Agency Contact: Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234

Phone: 301 734-7833

RIN: 0579-AA94

100. IRRADIATION PHYTOSANITARY TREATMENT OF IMPORTED FRESH FRUITS AND VEGETABLES**Priority:** Other Significant**Legal Authority:** 7 USC 7701-7772**CFR Citation:** 7 CFR 305; 7 CFR 319.56**Legal Deadline:** None

Abstract: This rulemaking would establish irradiation as a new treatment alternative for the importation of certain fresh fruits and vegetables. Irradiation would be allowed as an alternative to mitigation measures that are required to control certain species of fruit flies in a variety of imported fruits and vegetables. If this proposal is adopted, importers of certain fruits and vegetables will have an additional alternative to the currently approved treatments, such as fumigation and cold treatment, for treating their articles. No net societal gains and losses other than small price-related changes are expected from this proposed rule change.

Timetable:

Action	Date	FR Cite
Policy Statement for Irradiation Treatment of Fresh Fruits and Vegetables	05/15/98	63 FR 24433
NPRM	05/26/00	65 FR 34113
NPRM Comment Period End	07/25/00	
Final Action	08/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Dennis J. Hannapel, Phytosanitary Issues Management, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236

Phone: 301 734-6799

RIN: 0579-AA97

101. ESTABLISHMENT OF REGIONS IN THE EUROPEAN UNION FOR HOG CHOLERA, FOOT-AND-MOUTH DISEASE, AND SWINE VESICULAR DISEASE**Priority:** Other Significant

Legal Authority: 21 USC 134a to 134d; 21 USC 134f; 21 USC 135 to 136a; 31 USC 9701; 42 USC 4331 to 4332; 7 USC 1622; 19 USC 1306; 21 USC 102 to 105; 21 USC 111; 21 USC 114a

CFR Citation: 9 CFR 92; 9 CFR 94; 9 CFR 98

Legal Deadline: None

Abstract: This action would recognize certain regions in the European Union as regions where hog cholera is not known to exist and from which live swine, swine semen, and pork and pork products may be imported into the United States under certain conditions. Additionally, it would recognize Greece as free of swine vesicular disease and recognize 17 regions in Italy as free of swine vesicular disease.

Timetable:

Action	Date	FR Cite
NPRM	06/25/99	64 FR 34155
NPRM Comment Period End	08/24/99	
Final Action	09/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Dr. Gary Colgrove, Assistant Director, Sanitary Trade Issues Team, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 38, 4700 River Road, Riverdale, MD 20737-1231

Phone: 301 734-8364

RIN: 0579-AB03

102. COMMERCIAL TRANSPORTATION OF EQUINES TO SLAUGHTER**Priority:** Other Significant**Legal Authority:** 7 USC 1901**CFR Citation:** 9 CFR 88 (New)**Legal Deadline:** None

Abstract: This action would establish regulations pertaining to the commercial transportation of equines to

slaughter. The purpose of these regulations is to establish minimum standards to ensure the humane movement of equines to slaughter via commercial transportation. We are proposing these regulations to fulfill our responsibility under the 1996 Farm Bill to regulate the commercial transportation of equines to slaughter by persons regularly engaged in that activity within the United States.

Timetable:

Action	Date	FR Cite
NPRM	05/19/99	64 FR 27210
NPRM Comment Period End	07/19/99	
Final Rule	04/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Dr. Timothy R. Cordes, Senior Staff Veterinarian, National Animal Health Programs, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 43, 4700 River Road, Riverdale, MD 20737-1231

Phone: 301 734-3279

RIN: 0579-AB06

103. CITRUS CANCER; PAYMENTS FOR COMMERCIAL CITRUS TREE REPLACEMENT AND LOST PRODUCTION INCOME**Priority:** Other Significant

Legal Authority: 7 USC 166; 7 USC 7701 to 7772; PL 106-113; PL 106-224; PL 106-387

CFR Citation: 7 CFR 301.75**Legal Deadline:** None

Abstract: APHIS has published an interim rule amending its citrus canker regulations to establish provisions under which eligible owners of commercial citrus groves may receive payments to replace commercial citrus trees removed because of citrus canker. APHIS has also published a proposed rule that would provide those eligible owners with payments to recover production income lost as a result of the removal of commercial citrus trees to control citrus canker. APHIS anticipates finalizing both regulatory actions after addressing the comments received.

Provisions for the payment of these funds were contained in the Consolidated Appropriations Act for FY

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2000 (Pub. L. 106-113), the Agricultural Risk Protection Act of 2000 (Pub. L. 206-224), and the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Pub. L. 206-387). The payment of these funds is intended to reduce the economic effect of the citrus canker quarantine on affected commercial citrus growers in Florida.

Timetable:

Action	Date	FR Cite
IRM (Tree Replacement)	10/16/00	65 FR 61077
PRM (Lost Production)	12/07/00	65 FR 76582
IRM Comment Period End	12/15/00	
PRM Comment Period End	01/08/01	
FRM (Tree Replacement)	05/00/01	
FRM (Lost Production)	05/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Stephen R. Poe, Operations Officer, Program Support Staff, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 134, 4700 River Road, Riverdale, MD 20737-1236
Phone: 301 734-8247

RIN: 0579-AB15

104. PLUM POX COMPENSATION

Priority: Other Significant

Legal Authority: 7 USC 166; 7 USC 7701 to 7772

CFR Citation: 7 CFR 301.74-5

Legal Deadline: None

Abstract: APHIS has published an interim rule amending its plum pox regulations to provide for the payment of compensation to the owners of commercial stone fruit orchards and fruit tree nurseries who had stone fruit trees or nursery stock destroyed in order to control plum pox. The payment of these funds is necessary in order to reduce the economic impact of the plum pox quarantine on affected commercial stone fruit growers and fruit tree nursery owners. APHIS anticipates finalizing this interim rule after addressing the comments received.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/14/00	65 FR 55431
Interim Final Rule Comment Period End	11/13/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Stephen R. Poe, Operations Officer, Program Support Staff, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 134, 4700 River Road, Riverdale, MD 20737-1236
Phone: 301 734-8247

RIN: 0579-AB19

105. • ANIMAL WELFARE; POLICY ON ENVIRONMENT ENHANCEMENT FOR NONHUMAN PRIMATES

Priority: Other Significant

Legal Authority: 7 USC 2131-2159

CFR Citation: 9 CFR 3.81

Legal Deadline: None

Abstract: APHIS' Animal Welfare Act regulations require that dealers, exhibitors, and research facilities that maintain nonhuman primates develop and follow a plan for environment enhancement adequate to promote the psychological well-being of nonhuman primates.

APHIS is preparing a policy statement to provide guidance on what we believe must be considered and included in the plan in order for dealers, exhibitors, and research facilities to adequately promote the psychological well-being of nonhuman primates.

Timetable:

Action	Date	FR Cite
Draft Policy Statement	07/15/99	64 FR 38145
Comment Period End	10/13/99	
Final Policy Statement	05/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234
Phone: 301 734-7833

RIN: 0579-AB25

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Animal and Plant Health Inspection Service (APHIS)

106. IMPORTATION OF CERTAIN EMBRYOS AND ANIMAL SEMEN (SECTION 610 REVIEW)

Priority: Substantive, Nonsignificant

CFR Citation: 9 CFR 98

Timetable:

Action	Date	FR Cite
ANPRM	07/08/93	58 FR 36625
ANPRM Comment Period End	09/07/93	
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Roger Perkins
Phone: 301 734-8364

RIN: 0579-AA63

107. IMPORTATION OF FUJI APPLES FROM THE REPUBLIC OF KOREA

Priority: Other Significant

CFR Citation: 7 CFR 319.56-2cc

Timetable:

Action	Date	FR Cite
NPRM	04/26/00	65 FR 24423
NPRM Comment Period End	06/26/00	
NPRM Comment Period Extended	08/22/00	65 FR 50937
NPRM Comment Period End	10/23/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

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Long-Term Actions

Agency Contact: Dennis J. Hannapel
Phone: 301 734-6799

RIN: 0579-AA93

108. RESTRICTIONS ON THE IMPORTATION OF RUMINANTS, MEAT AND MEAT PRODUCTS FROM RUMINANTS, AND CERTAIN OTHER RUMINANT PRODUCTS

Priority: Other Significant

CFR Citation: 9 CFR 93.404(c); 9 CFR 94.18; 9 CFR 95.4(a); 9 CFR 96.2(b)

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Donna Malloy
Phone: 301 734-8715

RIN: 0579-AA98

109. REQUIRING TREATMENT OF SOLID WOOD PACKING MATERIAL FROM CHINA

Priority: Economically Significant.
Major under 5 USC 801.

CFR Citation: 7 CFR 319.40

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/18/98	63 FR 50100
Interim Final Rule Comment Period End	11/17/98	
Interim Final Rule	12/17/98	63 FR 69539
Interim Final Rule Effective	12/17/98	
Interim Final Rule Comment Period End	02/16/99	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert Flanders
Phone: 301 734-5930

RIN: 0579-AB01

110. IMPORTATION OF UNMANUFACTURED WOOD ARTICLES FROM MEXICO

Priority: Other Significant

CFR Citation: 7 CFR 319.40

Timetable:

Action	Date	FR Cite
NPRM	06/11/99	64 FR 31512
NPRM Comment Period End	08/10/99	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jane E. Levy
Phone: 301 734-8295

RIN: 0579-AB02

111. HORSE PROTECTION; HORSE INDUSTRY ORGANIZATIONS

Priority: Other Significant

CFR Citation: 9 CFR 11

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Robert Willems
Phone: 919 716-5544

RIN: 0579-AB04

112. NOXIOUS WEEDS; WEED CATEGORIES AND PRIORITIES (SECTION 610 REVIEW)

Priority: Other Significant

CFR Citation: 7 CFR 360; 7 CFR 361

Timetable:

Action	Date	FR Cite
ANPRM	03/20/00	65 FR 14927
ANPRM Comment Period End	05/19/00	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Polly Lehtonen
Phone: 301 734-8896

RIN: 0579-AB07

113. NOXIOUS WEEDS; RESTRICTIONS ON INTERSTATE MOVEMENT

Priority: Other Significant

CFR Citation: 7 CFR 360.300

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/29/99	64 FR 41007
Interim Final Rule Comment Period End	09/27/99	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Alan V. Tasker
Phone: 301 734-5225

RIN: 0579-AB08

114. AQUACULTURE; FARM-RAISED FIN FISH

Priority: Other Significant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
ANPRM	05/04/99	64 FR 23795
ANPRM Comment Period End	07/06/99	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Otis Miller
Phone: 301 734-6188

RIN: 0579-AB09

115. PSEUDORABIES IN SWINE; PAYMENT OF INDEMNITY

Priority: Other Significant

CFR Citation: 9 CFR 52

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/12/99	64 FR 2545
Interim Final Rule Comment Period End	04/16/99	
Interim Final Rule	04/18/00	65 FR 20706
Interim Final Rule Comment Period End	06/19/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Arnold C. Taft
Phone: 301 734-7708

RIN: 0579-AB10

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Long-Term Actions

116. IMPORTATION OF BEEF FROM BRAZIL**Priority:** Other Significant**CFR Citation:** 9 CFR 94**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Glen Garriss
Phone: 301 734-4356**RIN:** 0579-AB16**DEPARTMENT OF AGRICULTURE (USDA)****Completed Actions****Animal and Plant Health Inspection Service (APHIS)****117. ANIMAL WELFARE—STANDARDS FOR MARINE MAMMALS****Priority:** Other Significant**CFR Citation:** 9 CFR 3**Completed:**

Reason	Date	FR Cite
Final Rule Animal Welfare; Marine Mammals (Reg Neg)	01/03/01	66 FR 239
Final Action Effective Delay of Effective Date until 04/03/2001	02/02/01	66 FR 8744

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Barbara Kohn
Phone: 301 734-7833**RIN:** 0579-AA59**BILLING CODE** 3410-34-S**DEPARTMENT OF AGRICULTURE (USDA)****Proposed Rule Stage****Cooperative State Research, Education, and Extension Service (CSREES)****118. HIGHER EDUCATION MULTICULTURAL SCHOLARS PROGRAM; ADMINISTRATIVE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 3152(b)(5); PL 103-111; PL 103-330; PL 104-37; PL 104-180**CFR Citation:** 7 CFR 3409**Legal Deadline:** None**Abstract:** Regulations will establish the procedures to be followed annually in the solicitation of proposals, the evaluation of such proposals, and the award of project grants under the Multicultural Scholars Program.**Timetable:**

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299Phone: 202 720-9181
Email: pcarter@reeusda.gov**RIN:** 0524-AA09**119. HISPANIC-SERVING INSTITUTIONS EDUCATION GRANTS PROGRAM ADMINISTRATIVE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 3241**CFR Citation:** 7 CFR 3412**Legal Deadline:** None**Abstract:** Regulation will establish the procedures to be followed annually in the solicitation of proposals, the evaluation of such proposals, and the award of project grants under the Hispanic Education Partnership Grants Program.**Timetable:**

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State

Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181
Email: pcarter@reeusda.gov**RIN:** 0524-AA17**120. COMMUNITY FOOD PROJECTS ADMINISTRATIVE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2034**CFR Citation:** 7 CFR 3416**Legal Deadline:** None**Abstract:** This regulation proposes to establish administrative provisions for the Community Food Projects to institute procedures to be followed in preparing proposals, to outline requirements which grant recipients must meet, to provide instructions on how to apply for a grant, and to provide general information about post-award administration of grants under the program.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/01	
NPRM Comment Period End	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

Government Levels Affected: None

Agency Contact: Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299
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Email: pcarter@reeusda.gov

RIN: 0524-AA19

121. SMALL BUSINESS INNOVATION RESEARCH PROGRAM ADMINISTRATIVE PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 638

CFR Citation: 7 CFR 3403

Legal Deadline: None

Abstract: The Cooperative State Research Education and Extension Service (CSREES) proposes to modify the Small Business Innovation Research Program Administrative Provisions by changing the language of when a Phase I awardee is eligible to apply for a Phase II award. Currently, a Phase I awardee may apply for a Phase II award in the next fiscal year funding cycle or the second fiscal year funding cycle. CSREES intends to revise this language to allow Phase I awardees to apply in either of the two fiscal years following the end of the initial project period; this does not include any no-cost extensions of time. This revision will allow an 18-month Phase I awardee the same privileges as that of a 6-month Phase I awardee. Privileges as used herein refers to the opportunity for a no-cost extension of time, if necessary, and two options of when a Phase I awardee may apply for a Phase II award.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299
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RIN: 0524-AA20

122. BIOTECHNOLOGY RISK ASSESSMENT RESEARCH GRANTS PROGRAM ADMINISTRATIVE PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 5921; 5 USC 301

CFR Citation: 7 CFR 3415

Legal Deadline: None

Abstract: The Cooperative State Research, Education, and Extension Service (CSREES) proposes to revise and modify the Biotechnology Risk Assessment Research Grants Program Administrative Provisions. The revision and modification updates 7 CFR part 3415 to delete references to the Office of Agricultural Biotechnology and the Agricultural Biotechnology Research Advisory Committee clarifying the requirements for the pre-proposals, clarifying what is to be included in the 15-page limit on proposals, and revising the language regarding conflicts of interests (3415.12).

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

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Email: pcarter@reeusda.gov

RIN: 0524-AA21

123. NATIONAL RESEARCH INITIATIVE COMPETITIVE GRANTS PROGRAM ADMINISTRATIVE PROVISIONS

Priority: Other Significant

Legal Authority: 7 USC 450i(b)

CFR Citation: 7 CFR 3411

Legal Deadline: None

Abstract: The Cooperative State Research, Education, and Extension Service (CSREES) proposes to revise and modify the National Research Initiative Competitive Grants Program administrative provisions. The revision and modification will update 7 CFR 3411 to reflect changes in the Agricultural Research, Extension, and Education Reform Act of 1998 (Pub. L. 105-185) and to comply with a recent OIG audit. Specifically, the equipment grant eligibility requirements need to be revised, along with other administrative changes. In addition, CSREES plans to comply with the proposed plain language requirements set out in the Presidential memo dated June 1, 1998.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299
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Email: pcarter@reeusda.gov

RIN: 0524-AA22

BILLING CODE 3410-22-S

DEPARTMENT OF AGRICULTURE (USDA)
Rural Housing Service (RHS)
Proposed Rule Stage
124. CIVIL RIGHTS COMPLIANCE REQUIREMENTS—1901-E TO 1940-D
Priority: Other Significant

Legal Authority: PL 100-259; 29 USC 794; PL 94-135; 42 USC 6101 et seq; PL 94-239; 15 USC 1601 et seq; EO 11246; PL 88-352; 42 USC 2000d et seq; PL 90-284; 42 USC 3601 to 3619; PL 100-430; PL 92-318; 20 USC 1681 et seq; PL 93-112; EO 12898

CFR Citation: 7 CFR 15; 12 CFR 202; 28 CFR 42; 45 CFR 90; 41 CFR 60 to 64; 24 CFR 14; 7 CFR 1940 subpart D; 7 CFR 1901 subpart E

Legal Deadline: None

Abstract: This ruling will effectuate a comprehensive civil rights regulation implementing the following laws: The Equal Credit Opportunity Act (ECOA); title VI of the Civil Rights Act of 1964; title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (The Fair Housing Act); section 504 Federally Conducted and Federally Assisted Programs; title IX of the Education Amendments of 1972; Age Discrimination Act of 1975; and Executive Orders 11246 and 12898 (Environmental Justice). The revised regulations will provide detailed guidelines for field offices for improved enforcement and compliance with these laws, which heavily impact the Agency's programs. Mechanisms for monitoring compliance by field offices and recipients of Federal financial assistance at all levels will decrease the Agency's vulnerability that exist due to noncompliance with recently enacted Civil Rights legislation.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
NPRM Comment Period End	10/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Carlton L. Lewis, Chief, Program Compliance Branch, Department of Agriculture, Rural Housing Service, STOP 0703, 1400

Independence Avenue SW,
Washington, DC 20250
Phone: 202 692-0097
Fax: 202 358-5657
Email: cllewis@rdmail.rural.usda.gov
RIN: 0575-AA83

125. SERVICING COMMUNITY PROGRAMS LOANS AND GRANTS
Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 7 USC 1989; 31 USC 3711; 42 USC 1480

CFR Citation: 7 CFR 3570 subpart E; 7 CFR 1951 subpart E; 7 CFR 1951 subpart O; 7 CFR 1955 subpart A; 7 CFR 1955 subpart B; 7 CFR 1955 subpart C; 7 CFR 1956 subpart C; 7 CFR 1951 subpart F

Legal Deadline: None

Abstract: The Agency is combining seven regulations affecting the servicing of Community Programs loans and grants into one regulation. Justification: This is part of the Reinventing Government Initiative. There are no policy or procedural changes. The published regulation will be simplified by removing the administrative portion and will only contain the information affecting the public.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Beth Jones, Loan Specialist, Community Programs Division, Department of Agriculture, Rural Housing Service, Room 0183/Stop 0787, 1400 Independence Avenue SW, Washington, DC 20250
Phone: 202 720-1498
Email: epjones@rdmail.rural.usda.gov
RIN: 0575-AC12

126. MULTI-FAMILY HOUSING REINVENTION
Priority: Other Significant

Legal Authority: 5 USC 301; 42 USC 1490a; 7 USC 1989; 42 USC 1475; 42 USC 1479; 42 USC 1480; 42 USC 1481; 42 USC 1484; 42 USC 1485; 42 USC 1486

CFR Citation: 7 CFR 1806 subpart A; 7 CFR 1955 subpart B; 7 CFR 1955 subpart C; 7 CFR 1956 subpart B; 7

CFR 1965 subpart B; 7 CFR 1965 subpart E; 7 CFR 1930 subpart C; 7 CFR 1944 subpart D; 7 CFR 1944 subpart E; 7 CFR 1951 subpart C; 7 CFR 1951 subpart D; 7 CFR 1951 subpart K; 7 CFR 1951 subpart N; 7 CFR 1955 subpart A

Legal Deadline: None

Abstract: Reinvention of the Rural Housing Service's Multi-Family Housing Programs will consolidate regulations pertaining to section 515 Rural Rental Housing, section 514 Farm Labor Housing Loans, section 516 Farm Labor Housing Grants, and section 521 Rental Assistance Payments. Fourteen published regulations will be reduced to one regulation and handbooks for program administration. This will simplify loan origination and portfolio management for applicants, borrowers, and housing operators as well as Rural Development field staff. This will also provide flexibility for program modifications to reflect current and foreseeable changes. It will also reduce regulations that address solely internal Agency program administration. Finally, the regulation will be more customer friendly and responsive to the needs of the public.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	
NPRM Comment Period End	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Patrick Sheridan, Assistant Deputy Administrator, MFH, Department of Agriculture, Rural Housing Service, Room 1263/Stop 0782, 1400 Independence Avenue SW, Washington, DC 20250
Phone: 202 720-1609
Email: psheridan@rdmail.rural.usda.gov
RIN: 0575-AC13

127. SELF-HELP TECHNICAL ASSISTANCE GRANTS
Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 42 USC 1480

CFR Citation: 7 CFR 1944; 7 CFR 3551

Legal Deadline: None

Abstract: The regulations for 7 CFR 1944-I "Self-Help Technical Assistance Grants" is being rewritten and

USDA—RHS

Proposed Rule Stage

renumbered to 7 CFR 3551. Changes are proposed for clarification of policy and procedures relative to the: 1) Application procedure, which is changing to an annual competitive grant process; 2) labor contribution of participating families; 3) monitoring of grantee progress through Self-Help Automated Reporting and Evaluation System (SHARES); and 4) define the roles of Technical and Management Assistance Contractors.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
NPRM Comment Period End	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Daryl Cooper, Senior Loan Specialist, Department of Agriculture, Rural Housing Service, Room 2209/Stop 0783, 1400 Independence Avenue SW, Washington, DC 20250-0783
Phone: 202 720-1366
Fax: 202 720-2232

RIN: 0575-AC20

128. OPERATING ASSISTANCE FOR MIGRANT FARMWORKER PROJECTS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1989; 42 USC 1484; 42 USC 1486; 42 USC 1490a; PL 105-276, sec 599c

CFR Citation: 7 CFR 1944 subpart D; 7 CFR 1930 subpart C

Legal Deadline: None

Abstract: Regulation implements the provisions of Public Law 105-276, enacted October 21, 1998, which amended section 521 of the Housing Act of 1949. This amendment provides that, for migrant farmworker housing projects financed under section 514 or

516 of the Housing Act, the Secretary may, at the request of the owner, permit amounts provided for rental assistance under section 521 to be used to provide assistance for the costs of operating the project.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
NPRM Comment Period End	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David Layfield, Senior Loan Specialist, Department of Agriculture, Rural Housing Service, Room 1239/STOP 0781, 1400 Independence Ave, Washington, DC 20250-0781
Phone: 202 690-0759
Fax: 202 690-3444
Email: dlayfield@rdmail.rural.usda.gov

RIN: 0575-AC24

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Rural Housing Service (RHS)

129. REENGINEERING AND REINVENTION OF THE DIRECT SECTION 502 AND 504 SINGLE-FAMILY HOUSING PROGRAM

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 5 USC 301; 7 USC 1989; 42 USC 1480; 31 USC 3700

CFR Citation: 7 CFR 1806; 7 CFR 1900; 7 CFR 1944; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956; 7 CFR 1965; 7 CFR 3550

Legal Deadline: None

Abstract: Rural Housing Service (RHS) has purchased a state-of-the-art dedicated loan origination servicing system (DLOSS), which includes escrow capability. To conform to this new system, RHS proposes to make further amendments to the regulations to allow the Agency to provide escrow services to single-family housing borrowers, which follow industry standards. In addition, the Agency proposes to amend its regulations to conform to processes and techniques currently utilized by the private sector.

Timetable:

Action	Date	FR Cite
NPRM	04/08/96	61 FR 15395
NPRM Comment Period End	06/07/96	
Interim Final Rule	11/22/96	61 FR 59762
Interim Final Rule Comment Period End	12/26/96	
Interim Final Rule Effective	12/26/96	
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Carolyn Bell, Senior Loan Officer, Department of Agriculture, Rural Housing Service, Stop 0783, 1400 Independence Avenue SW, Washington, DC 20250
Phone: 202 720-1532

RIN: 0575-AB99

130. GUARANTEED RURAL HOUSING LOAN SINGLE FAMILY

Priority: Other Significant

Unfunded Mandates: This action may affect State, local or tribal governments and the private sector.

Legal Authority: 7 USC 1989; 42 USC 1480; 5 USC 301

CFR Citation: 7 CFR 3555; 7 CFR 1980 subpart D

Legal Deadline: None

Abstract: The Rural Housing Service is revising the regulation for the Guaranteed Rural Housing (GRH) program in order to increase the number of rural households that are able to make homeownership a reality, strengthen internal controls of the program, streamline and "reinvent" the regulation by making it clearer and more concise, and improve performance by lenders and servicers.

Timetable:

Action	Date	FR Cite
NPRM	12/15/99	64 FR 70124

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Action	Date	FR Cite
NPRM Comment Period End	02/14/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses
Government Levels Affected: State, Local
Agency Contact: Roger Glendenning, Director, Guaranteed Loan Division, Department of Agriculture, Rural Housing Service, Room 2248/Stop

0784, 1400 Independence Avenue SW, Washington, DC 20250-0780
 Phone: 202 720-1480
 Fax: 202 205-2476
 Email: rglendenning@rdmail.rural.usda.gov
RIN: 0575-AC18

DEPARTMENT OF AGRICULTURE (USDA)

Rural Housing Service (RHS)

Long-Term Actions

131. DENYING CREDIT TO APPLICANTS DELINQUENT ON ANY FEDERAL DEBT

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1942 subpart C; 7 CFR 1944 subpart E; 7 CFR 1948 subpart B; 7 CFR 1951 subpart E; 7 CFR 1942 subpart A; 7 CFR 1942 subpart G; 7 CFR 1944 subpart D; 7 CFR 1980 subpart E

Timetable:

Action	Date	FR Cite
NPRM	05/04/94	59 FR 23018
NPRM Comment Period End	07/05/94	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: Local, Tribal, Federal

Agency Contact: Chris Burgess
 Phone: 314 539-2360
 Fax: 314 539-2780
 Email: cb167@rdmail.rural.usda.gov

RIN: 0575-AA66

132. ENVIRONMENTAL PROGRAM

Priority: Other Significant

CFR Citation: 40 CFR 300; 40 CFR 260; 40 CFR 700; 40 CFR 400; 7 CFR 1940

Timetable:

Action	Date	FR Cite
NPRM	09/14/00	65 FR 55784
NPRM Comment Period End	11/13/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Susan Wieferich
 Phone: 202 720-9647

RIN: 0575-AB98

133. NATIONAL FLOOD INSURANCE REGULATIONS

Priority: Other Significant

CFR Citation: 7 CFR 1926 subpart B; 7 CFR 1806 subpart B

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Baxter Hill
 Phone: 202 720-1499

RIN: 0575-AC07

134. TECHNICAL ASSISTANCE TO ENCOURAGE THE DEVELOPMENT OF DOMESTIC AND MIGRANT FARM LABOR HOUSING

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1944 subpart D

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David Layfield
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RIN: 0575-AC25

DEPARTMENT OF AGRICULTURE (USDA)

Rural Housing Service (RHS)

Completed Actions

135. RURAL DEVELOPMENT LOAN PAYMENT AND COLLECTION PROCEDURES

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 1902 subpart C; 7 CFR 1951 subpart A; 7 CFR 1951 subpart B; 7 CFR 1980 subpart E

Completed:

Reason	Date	FR Cite
Withdrawn	01/31/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mark Huntley
 Phone: 314 539-6063
 Fax: 314 539-2764
 Email: mark.huntley@stl.rural.usda.gov

RIN: 0575-AC22

136. COMMUNITY PROGRAMS GUARANTEED LOAN PROGRAM

Priority: Other Significant

CFR Citation: 7 CFR 3575 subpart A

Completed:

Reason	Date	FR Cite
Withdrawn	01/31/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Steve Wetherbee
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RIN: 0575-AC23

BILLING CODE 3410-07-S

DEPARTMENT OF AGRICULTURE (USDA)
Federal Crop Insurance Corporation (FCIC)**Proposed Rule Stage****137. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART D; APPLICATION FOR CROP INSURANCE****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: The Federal Crop Insurance Corporation amends the General Administrative Regulations by revising the "Collection of Information and Data (Privacy Act)" statement found on the general crop insurance application. The proposed amendments to the statement include defining "substantial beneficial interest" as those persons whose interest in the policyholder is in excess of 10 percent. Other minor changes have been made to more fully comply with provisions of the Privacy Act.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB00**138. COMMON CROP INSURANCE REGULATIONS; COARSE GRAINS CROP INSURANCE PROVISIONS****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457.113**Legal Deadline:** None

Abstract: The Federal Crop Insurance Corporation proposes to make changes to the Coarse Grains Crop Insurance Provisions for corn, grain, sorghum, and soybeans for the 2000 crop year specific to the way corn grain versus corn silage is insured and to clarify the insurability of specialty corn and soybeans.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563-AB64**139. GENERAL ADMINISTRATIVE REGULATIONS; MOVEMENT OF BUSINESS AMONG INSURANCE PROVIDERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: To ensure that the interests of policyholders are protected and that the policies and policyholder data are transferred in an orderly manner, the Risk Management Agency is providing comprehensive regulations that will apply to agents, managing general agents, policy-issuing companies, and reinsured companies. The objective of this regulation is to prescribe uniform administrative requirements for the movement or assumption of crop insurance policies.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801,

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RIN: 0563-AB71**140. GENERAL ADMINISTRATIVE REGULATIONS; SANCTIONS****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(m); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: To add a new section to the Sanction regulation that will specify the conditions under which a person and affiliate may qualify for a waiver or reduction of a civil penalty imposed by the Agency.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 690-2803
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RIN: 0563-AB73**141. COMMON CROP INSURANCE REGULATIONS; BLUEBERRY CROP INSURANCE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None

Abstract: The purpose of this rule is to solicit public comments on FCIC's proposed action to convert the blueberry pilot insurance program to a permanent insurance program. The pilot was initiated for the 1995 crop

USDA—FCIC

Proposed Rule Stage

year for selected counties in Michigan, Mississippi, New Jersey, and North Carolina and covered highbush and rabbiteye blueberry varieties.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563–AB76

142. GENERAL ADMINISTRATIVE REGULATIONS; CIVIL RIGHTS DATA COLLECTION

Priority: Other Significant

Legal Authority: 28 CFR 42.403; 28 CFR 42.406

CFR Citation: 7 CFR 400

Legal Deadline: None

Abstract: The purpose of this action is to ensure compliance with title VI civil rights requirements. This data collection includes race/national origin, sex, disability, and age. This will allow the Agency to better assess if discrimination has occurred and to identify areas in need of outreach.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 690-2803
Fax: 202 690-2818

RIN: 0563–AB78

143. COMMON CROP INSURANCE REGULATIONS; NURSERY CROP INSURANCE PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1506(l); 7 USC 1506(p)

CFR Citation: 7 CFR 457

Legal Deadline: None

Abstract: The purpose of this proposed rule is to solicit public comments on FCIC's proposed action to revise the Nursery Crop Provisions (99-073) for the 2002 crop year to: Specify that container grown and field grown plants are separate crops, provide optional units by location for field grown nursery plant, incorporate the "lower of" rule into section 6 of the provisions, permit insureds to purchase insurance coverage on a year-round basis, incorporate provisions to provide a rehabilitation payment for plants damaged by an insured cause of loss.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Sectors Affected: None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
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Fax: 202 690-2818

RIN: 0563–AB80

144. GENERAL ADMINISTRATIVE REGULATIONS; ACTUAL PRODUCTION HISTORY

Priority: Other Significant

Legal Authority: 7 USC 1506 (l); 7 USC 1506 (p)

CFR Citation: 7 CFR 400

Legal Deadline: None

Abstract: To revise actual production history regulations to reflect changes in calculation of approved APH yields as mandated by the Agricultural Risk Protection Act of 2000. Revisions will include: Assigned yields for crops produced on land not farmed before

(added land), rotations to crops not previously produced (new crops), and for prevented planting acreage if planted to a substitute crop; adjustments for successful pest control efforts and for organic crops destroyed to maintain organic certification; and substitution of 60 percent of the transitional yield for low actual yields if producers elect that option.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
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RIN: 0563–AB83

145. GENERAL ADMINISTRATIVE REGULATIONS; SUBMISSION OF POLICIES AND PROVISIONS OF POLICIES AND RATES OF PREMIUMS

Priority: Other Significant

Legal Authority: 7 USC 1506(l); 7 USC 1506(p)

CFR Citation: 7 CFR 400

Legal Deadline: None

Abstract: Minor revisions will be made to the regulation for clarification and other revisions will be made as specified: Remove the need to publish policies from 508(h) submissions as a Notice of Availability in the Federal Register; information will be made available electronically to producers and approved insurance providers; confidential information may be withheld from the public under the standard for privileged or confidential information pertaining to trade secrets and commercial or financial information even after approval by the Board; there will be an expert review of submissions; the applicant will be notified in writing at least 30 days prior to the Board disapproving a submission, if the Board intends to disapprove the submission; a submission will be deemed approved by the Board if the Board fails to make

USDA—FCIC

Proposed Rule Stage

a determination within a prescribed time period; applicants will be reimbursed for research and developmental costs and maintenance costs; and companies selling the product will pay fees to the developer of the product after the fourth year of the applicant being paid maintenance costs unless maintenance for the product is transferred to FCIC.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kenneth D.

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RIN: 0563–AB84

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Federal Crop Insurance Corporation (FCIC)

146. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART S; REGULATIONS FOR INSURANCE COVERAGE BY WRITTEN AGREEMENT**Priority:** Other Significant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: The Federal Crop Insurance Corporation (FCIC) hereby proposes regulations to allow insurance coverage by written agreement for crops in counties which have no actuarial table. Currently, FCIC provides insurance by written agreement for only program crops. By providing insurance by written agreement, FCIC will provide a risk management tool to a broader base of producers.

Timetable:

Action	Date	FR Cite
NPRM	06/20/97	62 FR 33575
NPRM Comment Period End	08/19/97	
Final Rule	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
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RIN: 0563–AB07**147. COMMON CROP INSURANCE REGULATIONS; SMALL GRAINS CROP INSURANCE PROVISIONS AND WHEAT WINTER COVERAGE ENDORSEMENT****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457.101; 7 CFR 457.102**Legal Deadline:** None

Abstract: The Federal Crop Insurance Corporation proposes to revise and clarify existing policy provisions, establish winter wheat coverage in certain South Dakota and Wisconsin counties, reduce coverage under Option B of the Wheat Winter Coverage Endorsement, and to require insurance on spring wheat planted to replace damaged winter wheat covered under the Wheat Winter Coverage Endorsement.

Timetable:

Action	Date	FR Cite
NPRM	04/20/00	65 FR 21144
NPRM Comment Period End	06/19/00	
Final Rule	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
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Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation,

1400 Independence Avenue SW, Washington, DC 20250-0801
Phone: 202 720-2832

RIN: 0563–AB63**148. GENERAL ADMINISTRATIVE REGULATIONS; NONSTANDARD UNDERWRITING CLASSIFICATION SYSTEM****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

Abstract: The Federal Crop Insurance Corporation proposes to remove and reserve subpart O of the General Administrative Regulations, effective for the 1999 (2000 for Texas and Arizona and California Citrus) and succeeding crop years. This action is intended to eliminate the unintended adverse effects of the Nonstandard Classification System (NCS), simplify and update program underwriting rules consistent with the program's current and future anticipated experience, and ensure that crop insurance premiums are applied to all producers in a fair and consistent manner.

Timetable:

Action	Date	FR Cite
ANPRM	09/17/97	62 FR 48798
ANPRM Comment Period End	10/17/97	
NPRM	09/02/98	63 FR 46703
NPRM Comment Period End	10/19/98	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Diana Moslak, Regulatory Review Officer, Department

USDA—FCIC

Final Rule Stage

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RIN: 0563–AB66

149. GENERAL ADMINISTRATIVE REGULATIONS; PREMIUM REDUCTIONS; PAYMENTS OF REBATES, DIVIDENDS, AND PATRONAGE REFUNDS; AND PAYMENTS TO INSURED-OWNED AND RECORD-CONTROLLING ENTITIES

Priority: Other Significant

Legal Authority: 7 USC 1506(l); 7 USC 1506(p); 7 USC 1508(e)(3)

CFR Citation: 7 CFR 400

Legal Deadline: None

Abstract: To allow approved insurance providers to apply to the Federal Crop Insurance Corporation for authority to reduce the premium charged producers in accordance with section 508(e)(3) of the Federal Crop Insurance Act, as amended, and to provide the limitations and requirements applicable to the payment of rebates, dividends, and patronage refunds to insureds and payments to insured-owned and record-controlling entities.

Timetable:

Action	Date	FR Cite
NPRM	05/12/99	64 FR 25464
NPRM Comment Period End	07/12/99	
Final Rule	08/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Heyward Baker, Director, Reinsurance Services Division, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0804
Phone: 202 720-4286

RIN: 0563–AB70

150. COMMON CROP INSURANCE REGULATIONS; MILLET CROP INSURANCE PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1506(l); 7 USC 1506(p)

CFR Citation: 7 CFR 457

Legal Deadline: None

Abstract: The purpose of this rule is to solicit public comments on FCIC's proposed action to convert the millet pilot crop insurance program to a permanent insurance program and clarify existing crop provisions and methodology for calculated losses for the 2001 and succeeding crop years. FCIC believes this proposed rule will provide additional coverage benefits and improve the risk management tool for millet producers in all regions of the country.

Timetable:

Action	Date	FR Cite
NPRM	06/19/00	65 FR 37919
NPRM Comment Period End	08/18/00	
Final Rule	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0563–AB79

151. CATASTROPHIC RISK PROTECTION ENDORSEMENT; GROUP RISK PLAN OF INSURANCE REGULATIONS; BASIC PROVISIONS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 7 USC 1506(l), 1506(p)

CFR Citation: 7 CFR 402; 7 CFR 407; 7 CFR 457

Legal Deadline: Final, Statutory, June 30, 2000.

Abstract: The Federal Crop Insurance Corporation (FCIC) amends the Catastrophic Risk Protection Endorsement (7 CFR part 402), the Group Risk Plan of Insurance

Regulations (7 CFR part 407), and the Common Crop Insurance Regulations, Basic Provisions (7 CFR part 457) to revise those provisions affected by the changes in the administrative fees and subsidies and the substitution of yields in the producer's actual production history mandated by the Agricultural Risk Protection Act of 2000.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	06/28/00	65 FR 40483
Interim Final Rule	06/30/00	65 FR 40483
Interim Final Rule Comment Period End	08/29/00	
Final Rule	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
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RIN: 0563–AB81

152. COMMON CROP INSURANCE REGULATIONS; BASIC PROVISIONS AND GENERAL ADMINISTRATIVE REGULATIONS, SUBPART T, REGULATIONS FOR IMPLEMENTATION

Priority: Other Significant

Legal Authority: 7 USC 1506(l); 7 USC 1506(p)

CFR Citation: 7 CFR 400; 7 CFR 457.8

Legal Deadline: Final, Statutory, October 18, 2000.

Abstract: The purpose of these rules is to propose changes to the Common Crop Insurance Regulations, Basic Provisions and the General Administrative Regulations, Subpart T—Insurance Implementation, mandated by the Agricultural Risk Protection Act of 2000. The changes will be proposed to be effective beginning with the 2002 crop year for all crops with a contract change date on or after June 30, 2001. The major changes to the Common Crop Insurance Regulations, Basic Provisions are: 1) Limit indemnities and premiums when

USDA—FCIC

Final Rule Stage

more than one crop is planted on acreage within the same crop year; 2) if an initial crop is prevented from being planted and a substitute crop is planted on the acreage within the same crop year, allow reduced prevented planting coverage for the initial crop, and the initial crop's Actual Production History (APH) will be reduced to 60 percent of the producer's APH; and 3) add scientifically sound sustainable

and organic farming practices as good farming practices.

Timetable:

Action	Date	FR Cite
Final Rule	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801
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RIN: 0563-AB85

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Federal Crop Insurance Corporation (FCIC)

153. GENERAL ADMINISTRATIVE REGULATIONS; INTERPRETATIONS OF STATUTORY AND REGULATORY PROVISIONS

Priority: Info./Admin./Other

CFR Citation: 7 CFR 400

Completed:

Reason	Date	FR Cite
Withdrawn	02/28/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0563-AB82

BILLING CODE 3410-08-S

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Grain Inspection, Packers and Stockyards Administration (GIPSA)

154. REVIEW INSPECTION REQUIREMENTS

Priority: Other Significant

Legal Authority: 7 USC 71 et seq

CFR Citation: 7 CFR 800.125; 7 CFR 800.135; 7 CFR 800.87

Legal Deadline: None

Abstract: GIPSA is proposing to revise regulations under the U.S. Grain Standards Act to allow interested persons to stipulate the quality factors that would be redetermined during a reinspection or appeal inspection for grade. Currently reinspections and appeal inspections for grade must include a review for all factors that (1) may determine the grade; (2) are reported on the original certificate; or (3) are required to be shown. GIPSA has determined that mandating all quality factors be reexamined during a review inspection is inefficient, time consuming, and costly. Further, such a complete review of the preceding inspection service is usually not needed to confirm the true quality of the grain. This proposed action will allow interested parties to specify which official factors should be redetermined during the reinspection or appeal inspection service. However, to safeguard against inadvertent misgrading, official personnel may

determine other factors, when deemed necessary.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250
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Email: svassili@gipsadc.usda.gov

RIN: 0580-AA58

155. LIVESTOCK PURCHASE OR SALE: PROHIBIT NON-REPORTING OF PRICE

Priority: Other Significant

Legal Authority: 7 USC 204; 7 USC 228

CFR Citation: 9 CFR 201.54

Legal Deadline: None

Abstract: Following a review of comments received in response to the ANPRM, the Agency is proposing a regulation that would make purchasing

or selling livestock with the condition that the price not be reported a violation of the Packers and Stockyards Act.

Timetable:

Action	Date	FR Cite
ANPRM	09/10/98	63 FR 48450
ANPRM Comment Period End	12/09/98	
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0580-AA65

156. • FEES FOR OFFICIAL INSPECTION AND OFFICIAL WEIGHING SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 71

CFR Citation: 7 CFR 800.71

USDA—GIPSA

Proposed Rule Stage

Legal Deadline: None

Abstract: The Agency is proposing an approximate 6.1 percent increase in contract and noncontract hourly rates, certain unit rates, and the administrative tonnage fee for official inspection and weighing services performed in the United States under the U.S. Grain Standards Act. The proposed increase is based on the cost-of-living increases utilizing an average of the locality pay adjustments and

actual cost of performing official inspection services of 2.4 percent and 3.7 percent in FY 2000 and FY 2001, respectively.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0580-AA75

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Grain Inspection, Packers and Stockyards Administration (GIPSA)

157. TOLERANCES FOR DIVIDERS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 71 et seq

CFR Citation: 7 CFR 801.10

Legal Deadline: None

Abstract: GIPSA proposes to remove section 801.10, Tolerance for Dividers, from the CFR. Since GIPSA no longer tests dividers, the rule is no longer needed. By using the direct final rule process, GIPSA will give the public general notice of its intent to remove the rule and provide interested persons an opportunity to participate in the rulemaking through submission of comments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0580-AA57

158. SWINE PACKER MARKETING CONTRACTS

Priority: Other Significant

Legal Authority: 7 USC 181; PL 106-78

CFR Citation: 9 CFR 206

Legal Deadline: NPRM, Statutory, May 1, 2000.

Abstract: The Agency is proposing rules under the Packers and Stockyards Act to implement the Swine Packer Marketing Contracts subtitle of the Livestock Mandatory Reporting Act of 1999. The proposal is intended to establish a swine marketing contract library and provide information on the contracting practices of swine packers.

Timetable:

Action	Date	FR Cite
NPRM	09/05/00	65 FR 53653
NPRM Comment Period End	10/05/00	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0580-AA71

159. • FEES FOR COMMODITY AND RICE INSPECTION SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1621

CFR Citation: 7 CFR 868.90; 7 CFR 868.91

Legal Deadline: None

Abstract: The agency proposes an approximate 3.7 percent fee increase for all hourly rates and certain unit rates for inspection services performed under the Agricultural Marketing Act of 1946 in the commodity and rice inspection programs. These increases are needed to cover increased operational costs resulting from the mandated January 2001 Federal pay increase.

Timetable:

Action	Date	FR Cite
NPRM	11/03/00	65 FR 66189
NPRM Comment Period End	01/02/01	
Final Action	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 1647-S, 1400 Independence Avenue SW, Washington, DC 20250
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RIN: 0580-AA74

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Grain Inspection, Packers and Stockyards Administration (GIPSA)

160. POULTRY GROWER CONTRACTS

Priority: Other Significant**CFR Citation:** 9 CFR 201.100**Timetable:**

Action	Date	FR Cite
ANPRM	02/10/97	62 FR 5935
ANPRM Comment Period End	05/12/97	
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Sharon L. Vassiliades

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RIN: 0580-AA51

161. REGULATIONS TO ENSURE MORE EQUITABLE COMPETITION IN THE LIVESTOCK AND MEAT PACKING INDUSTRIES (LIVESTOCK AND POULTRY MARKETING)

Priority: Other Significant**CFR Citation:** 9 CFR 201**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Sharon L. Vassiliades

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RIN: 0580-AA72

162. HOW CAN USDA BEST FACILITATE THE MARKETING OF GRAINS, OILSEEDS, FRUITS, VEGETABLES, AND NUTS IN TODAY'S MARKETPLACE

Priority: Other Significant**CFR Citation:** Not Yet Determined**Timetable:**

Action	Date	FR Cite
ANPRM	11/30/00	65 FR 71272
ANPRM Comment Period End	02/28/01	
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Sharon L. Vassiliades

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RIN: 0580-AA73**BILLING CODE** 3410-EN-S

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Food and Nutrition Service (FNS)

163. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): MISCELLANEOUS PROVISIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 42 USC 1786**CFR Citation:** 7 CFR 246**Legal Deadline:** None

Abstract: This proposed rule responds to a variety of program concerns, most of which have been expressed by WIC State agencies. The proposal increases State agency flexibility regarding the sharing of participant information with other programs and streamlines Federal requirements for financial and participation reporting by State agencies. Several minor clarifications and technical corrections are also made. (89-515)

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	
NPRM Comment Period End	07/00/01	
Final Action	09/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local, Tribal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584-AB10

164. FOOD STAMP PROGRAM MATCHING PROGRAMS AND PRIVACY PROTECTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 5 USC 552(a) Computer Matching and Privacy Protection Act; 7 USC 2015(b) Food Stamp Act**CFR Citation:** 7 CFR 272; 7 CFR 273**Legal Deadline:** None

Abstract: This proposed rule describes requirements for State agencies to report information on individuals disqualified from the program for intentional program violations to FNS and the related FNS computer matching program known as the Disqualified Recipient Subsystem (DRS).

This proposed rule also describes protections to persons whose benefits could be adversely affected by computer matches used in the Food Stamp Program. Such protections must include independent verification of computer information, notification to the affected individual, and provision of an opportunity to respond to the information before an adverse action becomes effective. (89-010)

Timetable:

Action	Date	FR Cite
NPRM	03/00/02	
NPRM Comment Period End	05/00/02	
Final Action	01/00/03	
Final Action Effective	04/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local

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RIN: 0584-AB51

USDA—FNS

Proposed Rule Stage

165. FOOD STAMP PROGRAM REGULATORY REVIEW: FSP STANDARDS FOR APPROVAL AND OPERATION OF FOOD STAMP ELECTRONIC BENEFIT TRANSFER SYSTEMS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 7 USC 2011 TO 2034

CFR Citation: 7 CFR 274.12

Legal Deadline: None

Abstract: This rule proposes revisions to food stamp regulations affecting the standards and administration of EBT systems for food stamp issuance. Current regulations at 7 CFR 274.12 delineate the standards that EBT systems must meet in order to be approved for operation. This rule will revise those regulations to provide the State agency more flexibility in implementing and operating those systems. Clarifications and FNS settlement improvements will also be incorporated into the rule. (96-016)

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	
NPRM Comment Period End	07/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584-AC37

166. FSP: CIVIL RIGHTS DATA COLLECTIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 88-352, sec 601

CFR Citation: 7 CFR 272

Legal Deadline: None

Abstract: Title VI of the Civil Rights Act of 1964 requires the collection of racial/ethnic data for all programs utilizing Federal funds. State agencies are required to collect the data by racial/ethnic categories set by the Federal Government. In 1997, those categories changed. This proposed rule

would change the racial categories for State Food Stamp Program reporting to comply with the new Federal racial categories. (98-010)

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	
NPRM Comment Period End	06/00/01	
Final Action	12/00/01	
Final Action Effective	02/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

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RIN: 0584-AC75

167. COMMODITY SUPPLEMENTAL FOOD PROGRAM: PLAIN LANGUAGE, PROGRAM ACCOUNTABILITY, AND PROGRAM FLEXIBILITY

Priority: Other Significant

Legal Authority: PL 101-624; PL 104-127

CFR Citation: 7 CFR 247

Legal Deadline: None

Abstract: This rule will rewrite regulations pertaining to the Commodity Supplemental Food Program (7 CFR part 247) in "plain language." It will also amend regulatory provisions in this part to increase program accountability and flexibility for program operators. The rule will affect program accountability by: (1) Requiring State agencies to initiate a claim against participants for repayment of the value of program benefits obtained as a result of intentional misrepresentation; (2) extending the period that State agencies may disqualify participants for program violations for up to 1 year; (3) requiring State agencies to disqualify participants for engaging in dual participation or for other selected program violations; (4) including under program violations the physical abuse, or the threat of physical abuse, of program staff.

Amendments to increase program flexibility include: (1) Allowing the State to extend the certification of

elderly persons on a fixed income for an indefinite period without a formal review of eligibility; (2) increasing the period of time the State agency has to review a local agency's application for participation; (3) allowing State agencies to request to retain more than the maximum amount of administrative funds allocated whether or not they perform warehouse services; (4) reducing the frequency of State management evaluations of local agencies; and (5) making State plans and Federal-State agreements permanent, with amendments submitted as needed.

Other miscellaneous proposed changes include: (1) Requiring local agencies to notify applicants of a decision on their application within 10 days of the date of application; (2) including the specific factors that FNS uses to determine the amount of caseload that States will receive in addition to base caseload; (3) making the caseload cycle the period from January 1 to December 31; and (4) including a pregnant woman's embryo or fetus in utero as a household member in determining the family's income eligibility.

The rule will also incorporate legislative provisions that have been implemented through program policy, including: (1) Increasing the percentage of the program appropriation, and of funds carried over from the previous year, to be allotted for administrative support of State and local agencies from 15 to 20 percent; and (2) requiring that State and local agencies provide information on certain other public assistance programs to participants. (99-005)

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	
NPRM Comment Period End	07/00/01	
Final Action	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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USDA—FNS

Proposed Rule Stage

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RIN: 0584–AC84

168. FOOD STAMP PROGRAM: ADMINISTRATIVE COST REIMBURSEMENT

Priority: Economically Significant.
Major under 5 USC 801.

Unfunded Mandates: Undetermined

Legal Authority: PL 105-185, sec 502

CFR Citation: 7 CFR 277

Legal Deadline: Final, Statutory,
October 1, 1998, Payment reduction
required by law.

Abstract: This rule will allow State agencies to charge the FSP for its share of common costs for determining eligibility of Temporary Assistance for Needy Families (TANF) households for FSP in accordance with new HHS policy and approved cost allocation plans. (99-007)

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	02/00/02	
Final Action	08/00/02	
Final Action Effective	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: State,
Local

Federalism: Undetermined

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RIN: 0584–AC86

169. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): REVISIONS IN THE WIC FOOD PACKAGES

Priority: Economically Significant.
Major under 5 USC 801.

Legal Authority: 42 USC 1786

CFR Citation: 7 CFR 246

Legal Deadline: None

Abstract: This proposed rule will amend regulations governing the WIC food packages to disallow low-iron WIC formulas in food packages for infants; revise the maximum monthly allowances and minimum requirements for certain WIC foods; revise the substitution rates for certain WIC foods and allow additional foods as alternatives; make technical adjustments in all of the food packages to accommodate newer packaging and physical forms of the WIC foods; add vegetables as a food category in Food Packages III-VII for women and children; require that State agencies make available the full maximum foods allowed in each package; revise the criteria for developing State agency proposals for alternative food packages to accommodate participant food preferences more effectively; revise the purpose, content, and requirements for Food Package III; and address general provisions that apply to all the food packages. These revisions will improve the likelihood that WIC recipients achieve the food servings recommendations of the Dietary Guidelines for Americans and nutritional recommendations, providing WIC participants with a wider variety of foods, accommodating newer packaging and physical forms of WIC foods, and providing WIC State agencies with greater flexibility in prescribing food packages, especially to accommodate participants with hardships or cultural/food preferences. (99-006)

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	
NPRM Comment Period End	01/00/02	
Final Action	07/00/02	
Final Action Effective	09/00/02	

**Regulatory Flexibility Analysis
Required:** Yes

Small Entities Affected: Businesses

Government Levels Affected: State,
Local, Tribal, Federal

Federalism: This action may have federalism implications as defined in EO 13132.

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RIN: 0584–AC90

170. • IMPROVING ACCESS TO THE FOOD STAMP PROGRAM FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY

Priority: Other Significant

Legal Authority: 42 USC 2000d

CFR Citation: 7 CFR 272.4(b)

Legal Deadline: None

Abstract: On August 11, 2000, the President signed an Executive order requiring Federal agencies to examine the services they provide and to develop and implement a system that ensures persons with limited English proficiency (LED) have meaningful access to Federal health and human services programs and activities. The Executive order clarifies long-standing title VI principles that prohibit discrimination based on national origin. (00-016)

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	
NPRM Comment Period End	12/00/01	
Final Action	07/00/02	
Final Action Effective	10/00/02	

**Regulatory Flexibility Analysis
Required:** Undetermined

Small Entities Affected: No

Government Levels Affected: State,
Local

Federalism: Undetermined

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RIN: 0584–AD06

DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)
Final Rule Stage
171. WIC: REQUIREMENTS FOR AND EVALUATION OF WIC PROGRAM REQUESTS FOR BIDS FOR INFANT FORMULA REBATE CONTRACTS

Priority: Economically Significant.
Major under 5 USC 801.

Legal Authority: 42 USC 1786

CFR Citation: 7 CFR 246

Legal Deadline: None

Abstract: At the time the current cost containment regulations were published in 1989, there were only minor differences in infant formula wholesale prices and few differences in types of infant formulas offered by manufacturers; i.e., milk- and soy-based infant formula. However, current wholesale prices vary considerably among manufacturers for similar formulas and several new infant formulas have emerged on the market over the last decade. Therefore, to reflect market changes in the infant formula industry and to optimize competition in the WIC Program's infant formula rebate contracts, this interim rule would require WIC State agencies to award infant formula rebate contracts based on the lowest net price, allowing highest gross rebate as a basis of award only when retail prices of the different brands of infant formula vary, on average, by 5 percent or less. Additionally, this rule would define the types and forms of infant formula that must be included in cost containment systems. It would also expand on conditions that must be met for the issuance of infant formulas not covered by rebate contracts. (92-013)

Timetable:

Action	Date	FR Cite
NPRM	07/16/98	63 FR 38343
NPRM Comment Period End	09/14/98	
Interim Final Rule	08/23/00	65 FR 51213
Interim Final Rule Effective	10/23/00	
Interim Final Rule Implementation Date	11/21/00	
Interim Final Rule Comment Period End	08/23/01	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: State, Local, Tribal, Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

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RIN: 0584-AB52

172. FOOD STAMP PROGRAM: ANTICIPATING INCOME AND REPORTING CHANGES

Priority: Other Significant

Unfunded Mandates: This action may affect State, local or tribal governments.

Legal Authority: 7 USC 2011 to 2032

CFR Citation: 7 CFR 272; 7 CFR 273

Legal Deadline: None

Abstract: This rule revises Food Stamp Program procedures for reporting and acting on changes in earned income. The changes are designed to increase State agency flexibility and improve procedures for determining the eligibility and benefits of households whose income fluctuates unpredictably. Under this rule, State agencies would choose from four different reporting requirements for households with earned income. The reporting requirement a State agency selects would replace the current requirement that households report a change of more than \$25 in earned income. In addition to reporting a change in source of income, households would be required to report one of the following: A change in wage rate or salary and a change in part-time or full-time status, provided the household is certified for no more than 3 months; a change in wage rate or salary and a change of more than 5 hours a week that is expected to continue for more than a month; or a change in the amount earned of more than \$100 a month. The reporting requirement for changes in unearned income would be increased to changes of more than \$50 a month from the current threshold of changes of more than \$25 a month. In addition to the above reporting options, State agencies would also be able to select the option of requiring households to report changes through a quarterly reporting system rather than

at the time the changes become known to the household. (93-005)

Timetable:

Action	Date	FR Cite
NPRM	12/17/96	61 FR 66233
NPRM Comment Period End	02/18/97	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Federal

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RIN: 0584-AB57

173. DISCLOSURE OF FREE AND REDUCED-PRICE ELIGIBILITY INFORMATION UNDER THE SCHOOL NUTRITION, SUMMER FOOD SERVICE, AND CHILD AND ADULT CARE FOOD PROGRAMS

Priority: Other Significant

Legal Authority: PL 103-448, sec 108

CFR Citation: 7 CFR 215; 7 CFR 225; 7 CFR 226; 7 CFR 245

Legal Deadline: None

Abstract: This rule would allow limited disclosure of children's free and reduced price meal eligibility status or information, as authorized under Public Law 103-448, to persons directly connected with the administration or enforcement of (1) programs under the Richard B. Russell National School Lunch Act or Child Nutrition Act of 1966; (2) Federal education programs; (3) State health and education programs; (4) means-tested nutrition programs with eligibility standards comparable to the lunch program; and (5) the Comptroller General and certain law enforcement officials. The rule also proposes safeguards to protect the free and reduced-price application and personal information from misuse and includes penalties for unauthorized disclosures. (95-022)

Timetable:

Action	Date	FR Cite
NPRM	07/25/00	65 FR 45725
NPRM Comment Period End	11/22/00	
Final Action	12/00/01	

USDA—FNS

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local

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RIN: 0584-AC21**174. CHILD AND ADULT CARE FOOD PROGRAM: IMPROVING MANAGEMENT AND PROGRAM INTEGRITY****Priority:** Other Significant**Legal Authority:** 42 USC 1766; PL 103-448; PL 104-193; PL 105-336**CFR Citation:** 7 CFR 226**Legal Deadline:** None

Abstract: This rule amends the Child and Adult Care Food Program (CACFP) regulations. The changes in this rule result from the findings of State and Federal Program reviews and from audits and investigations conducted by the Office of Inspector General. This rule will revise: State agency criteria for approving and renewing institution applications; program training and other operating requirements for child care institutions and facilities; State- and institution-level monitoring requirements; and criteria for terminating agreements with institutions and day care homes. This rule also includes changes that are required by the Healthy Meals for Healthy Americans Act of 1994 (Pub. L. 103-448), the Personal Responsibility and Work Opportunities Reconciliation Act of 1996 (Pub. L. 104-193), the William F. Goodling Child Nutrition Reauthorization Act of 1998 (Pub. L. 105-336), the Agricultural Risk Protection Act of 2000 (Pub. L. 106-224), and the Grain Standards and Warehouse Improvement Act of 2000 (Pub. L. 106-472).

The changes are designed to improve program operations and monitoring at the State and institution levels and, where possible, to streamline and simplify program requirements for State agencies and institutions. (95-024)

Timetable:

Action	Date	FR Cite
NPRM	09/12/00	65 FR 55103

Action	Date	FR Cite
NPRM Comment Period End	12/11/00	
Final Action	10/00/01	
Final Action Effective	11/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local

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RIN: 0584-AC24**175. DETERMINING ELIGIBILITY FOR FREE AND REDUCED-PRICE MEALS AND FREE MILK IN SCHOOLS: PROVISION 2 AND PROVISION 3****Priority:** Other Significant**Legal Authority:** PL 103-448**CFR Citation:** 7 CFR 245**Legal Deadline:** None

Abstract: Under an alternative known as Provision 2, schools that serve all meals at no charge for 3 consecutive years may distribute applications and make free and reduced price meal eligibility determinations once every 3 years. During year 1 of the 3-year cycle, they count and claim meals by category (free, reduced price, and paid) and use these counts to develop claiming percentages to use during years 2 and 3. Public Law 103-448 amended the NSLA to allow schools to extend these procedures an additional 2 years and allow subsequent 5-year cycles, without making new free and reduced price eligibility determinations, provided the income level of the school's population remained stable. Public Law 103-448 also added a new Provision 3 for schools that serve all meals at no charge for 4 consecutive years. These schools receive the same level of cash and commodity assistance they received in the last year free and reduced price eligibility determinations and actual meal counts were taken. Additional 4-year cycles were permitted, without making new free and reduced price eligibility determinations, provided the income level of the school's population

remained stable. For both provisions, schools must make up the difference between Federal reimbursement and meal costs. Public Law 105-336 subsequently amended the timeframe for Provision 2 so that both Provisions 2 and 3 are 4-year cycles, which may be extended, without making new eligibility determinations, if the income level of the school's population remains stable. The rule will codify these provisions and specify technical aspects, such as the measurement of the income level of the school's population and the types of data that may be used. (96-003)

Timetable:

Action	Date	FR Cite
NPRM	02/07/00	65 FR 5791
NPRM Comment Period End	04/07/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local

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RIN: 0584-AC25**176. FOOD STAMP PROGRAM: WORK PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 AND THE FOOD STAMP PROVISIONS OF THE BALANCED BUDGET ACT OF 1997****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** PL 104-193**CFR Citation:** 7 CFR 273.7; 7 CFR 273.22**Legal Deadline:** None

Abstract: This proposed rule will implement revisions to the Food Stamp Program's work and employment and training requirements, as well as new provisions for a work supplementation or support program and an employment initiative program. (96-025)

Timetable:

Action	Date	FR Cite
NPRM	12/23/99	64 FR 72196

USDA—FNS

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	02/22/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local

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RIN: 0584-AC45

177. WIC FARMERS MARKET NUTRITION PROGRAM (FMNP): EXPANSION FUNDS ALLOCATION FORMULA**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1786(m)(6)**CFR Citation:** 7 CFR 248**Legal Deadline:** None

Abstract: The Child Nutrition Act of 1966 as amended (42 USC 1786(m)(6)) sets forth funding requirements of State agencies currently operating the program and for State agencies wishing to start a new program. The law leaves it to the discretion of the Secretary to determine the method of allocating funds to currently operating State agencies. This interim rule would implement a funding formula for the allocation of such expansion funds to existing FMNP State agencies. (98-003)

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/01	
Interim Final Rule Comment Period End	08/00/01	
Interim Final Rule Effective	09/00/01	
Final Action	03/00/02	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal

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RIN: 0584-AC68

178. CHILD NUTRITION PROGRAMS: REIMBURSEMENT FOR SNACKS IN AFTERSCHOOL CARE PROGRAMS**Priority:** Other Significant**Legal Authority:** PL 105-336**CFR Citation:** 7 CFR 210; 7 CFR 226; 7 CFR 235; 7 CFR 245**Legal Deadline:** None

Abstract: The William F. Goodling Child Nutrition Reauthorization Act of 1998 amended the National School Lunch Act to authorize reimbursement for snacks served under the NSLP in afterschool care programs operated by schools. The afterschool program must be organized primarily to provide care for children and have an educational or enrichment purpose. Additionally, the statute mandates free snacks for all children enrolled in afterschool care programs operated by schools in areas served by a school in which at least 50 percent of the enrolled children are certified for free or reduced price meals.

In the CACFP, the statute authorizes free snacks to children through age 18 enrolled in afterschool programs located in low-income areas. Low-income areas are defined in the law as areas in which at least 50 percent of the children are eligible for free or reduced price school meals. Therefore, individual eligibility determinations are not required for these programs. This rule also implements the provision of the law which permits outside school hours care programs to participate in CACFP if they meet health and safety standards where no State or local licensing or approval is required. (98-007)

Timetable:

Action	Date	FR Cite
NPRM	10/11/00	65 FR 6050
NPRM Comment Period End	01/09/01	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local

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RIN: 0584-AC72**179. FOOD DISTRIBUTION PROGRAM: DELETION OF REQUIREMENT TO EVALUATE STATE-RUN COMMODITY DISTRIBUTION AND WAREHOUSING SYSTEMS EVERY 3 YEARS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 100-237**CFR Citation:** 7 CFR 250.14; 7 CFR 250.15**Legal Deadline:** None

Abstract: Section 250.14(a) currently requires State distributing agencies that operate their own warehousing and distribution system to make a cost comparison of that system with a commercial system every 3 years. Most State distributing agencies have now either switched to a commercial system or evaluated their own system at least twice and determined it to be the most cost effective. Therefore, we propose to remove that requirement from our regulations. We will maintain the authority to require a cost comparison when circumstances warrant. We are suggesting a direct final rule rather than a proposed rule because we do not expect any objections to this discretionary change. (99-001)

Timetable:

Action	Date	FR Cite
Direct Final Rule	10/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local

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RIN: 0584-AC79

180. FSP: ELECTRONIC BENEFIT TRANSFER (EBT) SYSTEMS INTEROPERABILITY AND PORTABILITY**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 106-171

USDA—FNS

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CFR Citation: 7 CFR 272.1; 7 CFR 274.12

Legal Deadline: Other, Statutory, September 7, 2000, PL 106-171 sec 3. Other, Statutory, February 11, 2001, PL 106-171 sec 4. Other, Statutory, October 1, 2002, PL 106-171 sec 3.

Abstract: This rule revises Food Stamp regulations to ensure that recipients can use their electronic food stamp benefits across State borders by requiring interoperable State electronic issuance systems. The regulations establish uniform national standards to achieve this requirement. Also, 100 percent funding is available under the regulation to pay for the operational cost of this functionality up to a national limit of \$500,000. Costs beyond this level will be covered at the standard 50 percent program reimbursement rate for State administrative costs. (00-001)

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/15/00	65 FR 49719
Interim Final Rule Effective	09/19/00	
Interim Final Rule Comment Period End	11/13/00	
Final Action	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0584-AC91

181. NATIONAL SCHOOL LUNCH AND SCHOOL BREAKFAST PROGRAMS: IDENTIFICATION OF BLENDED BEEF, PORK, POULTRY, OR SEAFOOD PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1751 to 1760; 42 USC 1779

CFR Citation: 7 CFR 210; 7 CFR 220

Legal Deadline: None

Abstract: This interim rule addresses the use of beef, pork, poultry, or

seafood products containing 30 percent or more alternate protein products (APP) in the National School Lunch Program and the School Breakfast Program. If participating school food authorities identify foods offered in reimbursable meals on menus provided to children and their parents, on serving lines or by other methods, schools must identify beef, pork, poultry, or seafood products containing 30 percent or more fully hydrated APP (of the hydrated APP and meat, seafood, or poultry total) in a manner that does not characterize these products solely as a beef, pork, poultry, or seafood product. This rule is intended to ensure that program participants are advised of the use of blended products. (00-002)

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/08/00	65 FR 36315
Interim Final Rule Effective	07/10/00	
Interim Final Rule Comment Period End	08/07/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

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RIN: 0584-AC92

182. CHILD AND ADULT CARE FOOD PROGRAM: IMPLEMENTING LEGISLATIVE REFORMS TO STRENGTHEN PROGRAM INTEGRITY

Priority: Other Significant

Legal Authority: PL 106-224, sec 243

CFR Citation: 7 CFR 226

Legal Deadline: Final, Statutory, October 20, 2000.

Abstract: This interim rule incorporates changes to the Child and Adult Care Food Program as required by the Agricultural Risk Protection Act (Pub. L. 106-224) to strengthen the management and integrity of the program. Provisions include 1) changes

to eligibility requirements for participating institutions; 2) conditions for approval, such as ensuring financial viability, stipulating that new sponsoring organizations are allowed to participate only where there is need for the program, and the elimination of "moving toward tax exempt status" of institutions; 3) new program monitoring requirements; 4) new parental notification requirements by CACFP centers or homes that describe the program and benefits and provide parents with access to the sponsoring organization and State agency; 5) rules on allowing corrective action and appeals in situations involving the termination or suspension of participating institutions, facilities, and individuals; 6) funds recovery in situations involving fraud, abuse, or improper submissions for reimbursement; and 7) limitation on the percentage of funds that sponsoring organizations of centers can retain from day care meal reimbursements for their administrative expenses. These changes support the Department's ongoing efforts in management and integrity improvement. (00-005)

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

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RIN: 0584-AC94

183. SPECIAL NUTRITION PROGRAMS: DISCLOSURE OF CHILDREN'S ELIGIBILITY INFORMATION TO STATE MEDICAID AND THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP)

Priority: Other Significant

Legal Authority: PL 106-224, sec 242

CFR Citation: 7 CFR 215; 7 CFR 225; 7 CFR 226; 7 CFR 245

Legal Deadline: Final, Statutory, October 20, 2000.

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Abstract: This rule permits the disclosure of children's free and reduced price meal and free milk eligibility information to State Medicaid (Medicaid) and SCHIP, provided the State Child Nutrition Agency and agency that made the eligibility determination (determining agency) agree to the disclosure; limits the use of the information by recipients to identifying and seeking to enroll children in Medicaid and SCHIP; requires a written agreement between the determining agency and Medicaid/SCHIP; requires notification to households that their information may be shared with Medicaid/SCHIP; and requires that households be given the opportunity to elect not to have their information shared. Section 263 of the Agricultural Risk Protection Act of 2000 mandates promulgation without regard to notice and comment. (00-004)

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	10/01/00	
Interim Final Rule	01/11/01	66 FR 2195
Interim Final Rule Comment Period End	04/11/01	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

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RIN: 0584-AC95

184. • STATE ADMINISTRATIVE EXPENSE FUNDS: PLAIN LANGUAGE REWRITE

Priority: Info./Admin./Other

Legal Authority: 42 USC 1776, 42 USC 1779

CFR Citation: 7 CFR 235

Legal Deadline: None

Abstract: The President's Memorandum of June 1, 1998, recommended that existing Federal Government documents be rewritten in plain language as time and resources

are available. This direct final rule contains the plain language rewrite of the procedures for administering State administrative expense funds. These procedures are found at 7 CFR part 235. The rewrite contains shorter sections, simpler words and phrases, personal pronouns, and lists and tables. These plain language tools are intended to make the procedures clearer and easier to both read and understand. However, this direct final rule does not include any changes in policy, and will not have a significant impact on the economy or program participants. (00-006)

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0584-AC96

185. • SPECIAL MILK PROGRAM FOR CHILDREN: PLAIN LANGUAGE REVISION AND REORGANIZATION

Priority: Info./Admin./Other

Legal Authority: 42 USC 1772; 42 USC 1779

CFR Citation: 7 CFR 215

Legal Deadline: None

Abstract: The intent of this regulation is to comply with the President's memorandum of June 1, 1998, entitled "Plain Language in Government Writing" (63 FR 31885, June 10, 1998). This memorandum encourages all existing Agency regulations to be rewritten in plain language. The revision and reorganization of part 215 will allow affected persons to easily understand the regulations of the Special Milk Program for Children. This revision and reorganization does not alter the existing policies and requirements contained within this part. (00-007)

Timetable:

Action	Date	FR Cite
Direct Final Rule	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

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RIN: 0584-AC97

186. • FOOD DISTRIBUTION PROGRAMS: PLAIN LANGUAGE REWRITE OF 7 CFR PART 250, DONATION OF FOODS FOR USE IN THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS, AND AREAS UNDER ITS JURISDICTION

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 7 USC 612c; 7 USC 612c note; 7 USC 1431; 7 USC 1431b; 7 USC 1431e; 7 USC 1431 note; 7 USC 1446a-1; 7 USC 1859; 7 USC 2014; 7 USC 2025; 15 USC 713c; 22 USC 1922; 42 USC 1751; 42 USC 1755; 42 USC 1758; 42 USC 1760; 42 USC 1761; 42 USC 1762a; 42 USC 1766; 42 USC 3030a; 42 USC 5179; 42 USC 5180

CFR Citation: 7 CFR 250

Legal Deadline: None

Abstract: This rule makes no changes in the meaning of the regulations; it is only a reorganization and rewriting of the existing text in plain language. Our goal in rewriting is simple and two-fold: Allow the reader to quickly find and easily understand desired subject matter. The rewrite accomplishes our first goal by presenting material in a more logical sequence where needed, and most importantly, by splitting the text into much smaller and more easily scanned units. We have greatly increased the number of sections within the part, also increased the number of paragraphs within each of the new sections, and made greater use of italicized headings. By increasing the number of sections, we have "flattened" the regulation's structure. This in turn generally allows

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the elimination of at least one level of codification, despite the increased number of paragraphs and subparagraphs within each section. The result is much easier scanning of the sections for subject matter, further aided by the italicized headings. Each section is headed by a question on a major aspect of the regulations, which is then answered in the headings and paragraphs which follow. Finally, our second goal, greater comprehensibility, is accomplished by the use of shorter sentences, the active voice, and common words, except for necessary technical terms. (00-008)

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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Email: sheri.ackerman@fns.usda.gov
RIN: 0584-AC98

187. • FOOD DISTRIBUTION PROGRAMS: PLAIN LANGUAGE REWRITE OF 7 CFR PART 251, THE EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP)

Priority: Info./Admin./Other

Legal Authority: 7 USC 7501 to 7516

CFR Citation: 7 CFR 251

Legal Deadline: None

Abstract: This rule makes no changes in the meaning of the regulations; it is only a reorganization and rewriting of the existing text in plain language. Our goal in rewriting is simple and two-fold: Allow the reader to quickly find and easily understand desired subject matter. The rewrite accomplishes our first goal by presenting material in a more logical sequence where needed, and most importantly, by splitting the text into much smaller and more easily scanned units. We have greatly increased the number of sections within the part, also increased the number of paragraphs within each of the new sections, and

made greater use of italicized headings. By increasing the number of sections, we have “flattened” the regulation’s structure. This in turn generally allows the elimination of at least one level of codification, despite the increased number of paragraphs and subparagraphs within each section. The result is much easier scanning of the sections for subject matter, further aided by the italicized headings. Each section is headed by a question on a major aspect of the regulations, which is then answered in the headings and paragraphs which follow. Finally, our second goal, greater comprehensibility, is accomplished by the use of shorter sentences, the active voice, and common words, except for necessary technical terms. (00-009)

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

Government Levels Affected: State, Local, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584-AC99

188. • FOOD DISTRIBUTION PROGRAMS: PLAIN LANGUAGE REWRITE OF 7 CFR PART 252, THE NATIONAL COMMODITY PROCESSING PROGRAM (NCP)

Priority: Info./Admin./Other

Legal Authority: 7 USC 1431

CFR Citation: 7 CFR 252

Legal Deadline: None

Abstract: This rule makes no changes in the meaning of the regulations; it is only a reorganization and rewriting of the existing text in plain language. Our goal in rewriting is simple and two-fold: Allow the reader to quickly find and easily understand desired subject matter. The rewrite accomplishes our first goal by presenting material in a more logical sequence where needed, and most importantly, by splitting the text into much smaller and more easily scanned

units. We have greatly increased the number of sections within the part, also increased the number of paragraphs within each of the new sections, and made greater use of italicized headings. By increasing the number of sections, we have “flattened” the regulation’s structure. This in turn generally allows the elimination of at least one level of codification, despite the increased number of paragraphs and subparagraphs within each section. The result is much easier scanning of the sections for subject matter, further aided by the italicized headings. Each section is headed by a question on a major aspect of the regulations, which is then answered in the headings and paragraphs which follow. Finally, our second goal, greater comprehensibility, is accomplished by the use of shorter sentences, the active voice, and common words, except for necessary technical terms. (00-010)

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

Government Levels Affected: State, Local, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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Email: sheri.ackerman@fns.usda.gov
RIN: 0584-AD00

189. • FOOD DISTRIBUTION PROGRAMS: PLAIN LANGUAGE REWRITE OF 7 CFR PART 253, THE FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS (FDPIR)

Priority: Info./Admin./Other

Legal Authority: 7 USC 2011 to 2036

CFR Citation: 7 CFR 253

Legal Deadline: None

Abstract: This rule makes no changes in the meaning of the regulations; it is only a reorganization and rewriting of the existing text in plain language. Our goal in rewriting is simple and twofold: Allow the reader to quickly find and easily understand desired subject matter. The rewrite accomplishes our first goal by

USDA—FNS

Final Rule Stage

presenting material in a more logical sequence where needed, and most importantly, by splitting the text into much smaller and more easily scanned units. We have greatly increased the number of sections within the part, also increased the number of paragraphs within each of the new sections, and made greater use of italicized headings. By increasing the number of sections, we have “flattened” the regulation’s structure. This in turn generally allows the elimination of at least one level of codification, despite the increased number of paragraphs and subparagraphs within each section. The result is much easier scanning of the sections for subject matter, further aided by the italicized headings. Each section is headed by a question on a major aspect of the regulations, which is then answered in the headings and paragraphs which follow. Finally, our second goal, greater comprehensibility, is accomplished by the use of shorter sentences, the active voice, and common words, except for necessary technical terms. (00-011)

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584–AD01

190. • FOOD DISTRIBUTION PROGRAMS: PLAIN LANGUAGE REWRITE OF 7 CFR PART 254, THE FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS (FDIR) IN OKLAHOMA

Priority: Info./Admin./Other

Legal Authority: PL 97-98, sec. 1338; PL 95-113

CFR Citation: 7 CFR 254

Legal Deadline: None

Abstract: This rule makes no changes in the meaning of the regulations; it is only a reorganization and rewriting

of the existing text in plain language. Our goal in rewriting is simple and twofold: Allow the reader to quickly find and easily understand desired subject matter. The rewrite accomplishes our first goal by presenting material in a more logical sequence where needed, and most importantly, by splitting the text into much smaller and more easily scanned units. We have greatly increased the number of sections within the part, also increased the number of paragraphs within each of the new sections, and made greater use of italicized headings. By increasing the number of sections, we have “flattened” the regulation’s structure. This in turn generally allows the elimination of at least one level of codification, despite the increased number of paragraphs and subparagraphs within each section. The result is much easier scanning of the sections for subject matter, further aided by the italicized headings. Each section is headed by a question on a major aspect of the regulations, which is then answered in the headings and paragraphs which follow. Finally, our second goal, greater comprehensibility, is accomplished by the use of shorter sentences, the active voice, and common words, except for necessary technical terms. (00-012)

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584–AD02

191. • NUTRITION EDUCATION AND TRAINING PROGRAM: 7 CFR PART 227, PLAIN LANGUAGE REWRITE

Priority: Info./Admin./Other

Legal Authority: 42 USC 1788

CFR Citation: 7 CFR 227

Legal Deadline: None

Abstract: The President’s Memorandum of June 1, 1998, recommended that existing Federal Government documents be rewritten in plain language as time and resources are available. This direct final rule contains the plain language rewrite of the procedures for administering the Nutrition Education and Training Program. These procedures are found at 7 CFR part 227. The rewrite contains shorter sections, simpler words and phrases, and lists. These plain language tools are intended to make the procedures clearer and easier to both read and understand. However, this direct final rule does not include any changes in policy, and will not have a significant impact on the economy or program participants. (00-013)

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584–AD03

192. • STATE AGENCY LIABILITIES AND FEDERAL SANCTIONS, 7 CFR 276

Priority: Info./Admin./Other

Legal Authority: 7 USC 2011 to 2036

CFR Citation: 7 CFR 276

Legal Deadline: None

Abstract: 7 CFR part 276 has been rewritten in plain language format. The document contains only plain language and format changes. No policy has been changed, added, or deleted by this rewrite. (00-014)

Timetable:

Action	Date	FR Cite
Direct Final Rule	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

USDA—FNS

Final Rule Stage

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584–AD04

193. • PAYMENTS OF CERTAIN ADMINISTRATIVE COSTS OF STATE AGENCIES, 7 CFR 277

Priority: Info./Admin./Other

Legal Authority: 7 USC 2011 to 2036

CFR Citation: 7 CFR 277

Legal Deadline: None

Abstract: 7 CFR part 277 has been rewritten in plain language format. The document contains only plain language writing and format changes. No policy has been changed, added, or deleted by this rewrite. (00-015)

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Federal

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584–AD05

194. • IMPLEMENTATION OF POULTRY SUBSTITUTION PILOT AS PERMANENT AND MODIFICATION OF COMMODITY RECORDKEEPING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 7 USC 612c; 7 USC 612c note; 7 USC 1431; 7 USC 1431b; 7 USC 1431e; 7 USC 1431 note; 7 USC 1446a-1; 7 USC 1859; 7 USC 2014; 7 USC 2025; 15 USC 713c; 22 USC 1922; 42 USC 1751; 42 USC 1755; 42 USC 1758; 42 USC 1760 to 1761; 42 USC 1762a; 42 USC 1766; 42 USC 3030a; 42 USC 5179 to 5180

CFR Citation: 7 CFR 250.14; 7 CFR 250.16; 7 CFR 250.30

Legal Deadline: None

Abstract: 1) Poultry and fruit and vegetables may currently be substituted

for commodities under pilots and waivers. Due to the success of these programs, the regulations will be changed to allow such commercial substitution on a permanent basis. 2) Due to changes in the commercial market and the food donation program, the Department will allow vendors to use their own labels in place of USDA donated labels for school programs. This will complicate school's recordkeeping and inventory procedures. The regulations will be modified to accommodate the change in labels. (01-001)

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 910, 3101 Park Center Drive, Alexandria, VA 22302
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RIN: 0584–AD08

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Food and Nutrition Service (FNS)

195. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): FOOD DELIVERY SYSTEMS

Priority: Other Significant

CFR Citation: 7 CFR 246

Completed:

Reason	Date	FR Cite
Final Action	12/29/00	65 FR 83248
Final Action Effective	04/28/01	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: State, Local, Tribal

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Sheri Ackerman
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RIN: 0584–AA80

196. FOOD STAMP PROGRAM: REVISIONS TO THE RETAIL FOOD STORE DEFINITION AND PROGRAM AUTHORIZATION GUIDANCE

Priority: Other Significant

CFR Citation: 7 CFR 271; 7 CFR 278

Completed:

Reason	Date	FR Cite
Final Action	01/12/01	66 FR 2795
Final Action Effective	08/13/01	66 FR 18869

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sheri Ackerman
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RIN: 0584–AB90

197. FSP: PERSONAL RESPONSIBILITY PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 7 CFR 272; 7 CFR 273

Completed:

Reason	Date	FR Cite
Final Action	01/17/01	66 FR 4438
Final Action Effective	06/01/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Federal

Agency Contact: Sheri Ackerman
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RIN: 0584–AC39

USDA—FNS

Completed Actions

198. FSP: NONCITIZEN ELIGIBILITY AND CERTIFICATION PROVISIONS OF PUBLIC LAW 104-193 (PREVIOUSLY ENTITLED STATE FLEXIBILITY AND CERTIFICATION PROVISIONS)

Priority: Economically Significant.
Major under 5 USC 801.

CFR Citation: 7 CFR 272.3; 7 CFR 273.11(e); 7 CFR 273.11(j); 7 CFR 273.13; 7 CFR 273.14(b); 7 CFR 273.14(e); 7 CFR 273.1; 7 CFR 273.2; 7 CFR 273.4; 7 CFR 273.9(c); 7 CFR 273.9(d); 7 CFR 273.10(a); 7 CFR 273.10(c) to 273.10(f); 7 CFR 273.11(a) to 273.11(c)

Completed:

Reason	Date	FR Cite
Final Action	11/21/00	65 FR 70134
Final Action Effective	01/20/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Federal

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Sheri Ackerman
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RIN: 0584-AC40

199. FSP: NONDISCRETIONARY PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

Priority: Economically Significant.
Major under 5 USC 801.

CFR Citation: 7 CFR 271.2; 7 CFR 273.1; 7 CFR 273.2; 7 CFR 273.8; 7 CFR 273.9; 7 CFR 273.10; 7 CFR 276.2(e)

Completed:

Reason	Date	FR Cite
Final Action	10/30/00	65 FR 64581
Final Action Effective	12/29/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Sheri Ackerman
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RIN: 0584-AC41

200. REGULATORY REFORM: PROVISIONS RELATING TO FIRMS PARTICIPATING IN THE FOOD STAMP PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 278; 7 CFR 279

Completed:

Reason	Date	FR Cite
Withdrawn - The decision to promulgate this discretionary rule has been overtaken by events.	01/30/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sheri Ackerman
Phone: 703 305-2246
Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC48

201. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WIC: IMPLEMENTATION OF WIC-RELATED PROVISIONS OF PUBLIC LAW 104-193, PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

Priority: Other Significant

CFR Citation: 7 CFR 246

Completed:

Reason	Date	FR Cite
Interim Final Rule	11/06/00	
Comment Period End		
Final Action	12/21/00	65 FR 80280
Final Action Effective	01/22/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman
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Email: sheri.ackerman@fns.usda.gov

RIN: 0584-AC51

202. WIC: CERTIFICATION INTEGRITY

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 246

Completed:

Reason	Date	FR Cite
Final Action	12/11/00	65 FR 77245
Final Action Effective	01/10/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Sheri Ackerman
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RIN: 0584-AC76

203. FDIPIR: INCOME DEDUCTION AND MISCELLANEOUS PROVISION RULE

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 253

Completed:

Reason	Date	FR Cite
Final Action	08/04/00	65 FR 47831
Final Action Effective	10/03/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Tribal

Agency Contact: Sheri Ackerman
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RIN: 0584-AC81

204. WIC: NON-DISCRETIONARY FUNDING MODIFICATIONS OF PUBLIC LAW 106-224

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 246

Completed:

Reason	Date	FR Cite
Final Rule	12/13/00	65 FR 77769
Final Action Effective	01/12/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Sheri Ackerman
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RIN: 0584-AC93

205. • NOTICE—FOOD STAMP PROGRAM GRANTS TO IMPROVE APPLICANT AND RECIPIENT INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 2026(a)(1)

CFR Citation: None

Legal Deadline: None

Abstract: The Department intends to award grants to organizations to

USDA—FNS

Completed Actions

conduct research on improving applicant and recipient program access. The deadline for applying for these grants was January 5, 2001.

Timetable:

Action	Date	FR Cite
Final Action	12/27/00	65 FR 81819

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition

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RIN: 0584-AD07**BILLING CODE** 3410-30-S

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Food Safety and Inspection Service (FSIS)

206. GRANT AND INAUGURATION OF INSPECTION**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 21 USC 601 et seq**CFR Citation:** 9 CFR 304; 9 CFR 305**Legal Deadline:** None

Abstract: FSIS is proposing to clarify the regulations in 9 CFR parts 304 and 305, which provide for grant and inauguration of inspection in meat and poultry establishments to address issues raised by the Office of Inspector General and others.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC07**207. PERFORMANCE STANDARDS FOR READY-TO-EAT MEAT AND POULTRY PRODUCTS****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 21 USC 451 et seq; 21 USC 601 et seq**CFR Citation:** 9 CFR 317; 9 CFR 381; 9 CFR 430**Legal Deadline:** None

Abstract: FSIS is proposing to establish pathogen reduction performance standards for all ready-to-eat meat and

poultry products. The performance standards spell out the objective level of pathogen reduction that establishments must meet during their operations in order to produce safe products but allow the use of customized, plant-specific processing procedures other than those prescribed in the earlier regulations. Along with HACCP, food safety performance standards will give establishments the incentive and flexibility to adopt innovative, science-based food safety processing procedures and controls, while providing objective, measurable standards that can be verified by Agency inspectional oversight. This set of performance standards will include and be consistent with those already in place for certain ready-to-eat meat and poultry products. FSIS also is proposing testing requirements intended to reduce the incidence of Listeria in ready-to-eat meat and poultry products.

Timetable:

Action	Date	FR Cite
NPRM	02/27/01	66 FR 12590
NPRM Comment Period End	05/29/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC46**208. PERFORMANCE STANDARDS FOR BACON****Priority:** Other Significant**Legal Authority:** 21 USC 601 et seq; 21 USC 451 et seq**CFR Citation:** 9 CFR 424.22(b)**Legal Deadline:** None

Abstract: FSIS is proposing to revise the regulatory provisions concerning the production and testing of bacon (9 CFR 424.22(b)). FSIS is proposing to remove provisions that require the Agency to test bacon for nitrosamines and to remove provisions that prescribe the substances and amounts of such substances that must be used to produce bacon. FSIS is proposing to replace these provisions with performance standards that establishments producing bacon must meet. To meet these proposed performance standards, the process used would be required to prevent the multiplication of Clostridium botulinum and limit the multiplication of Clostridium perfringens. In addition, the process would be required to limit the presence of nitrosamines when the product is cooked. Under the hazard analysis and critical control points (HACCP) system, establishments would incorporate the proposed performance standards into their HACCP plans.

FSIS is proposing these regulations in order to allow establishments to develop alternative means of producing bacon. In addition, FSIS is proposing these regulations to remove the Agency's testing responsibilities and to require establishments producing bacon, instead, to control and monitor their own processes.

Timetable:

Action	Date	FR Cite
NPRM	11/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of

USDA—FSIS

Proposed Rule Stage

Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583–AC49

209. SHELL EGG AND EGG PRODUCTS INSPECTION REGULATIONS

Priority: Economically Significant.
Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 21 USC 1031 to 1056

CFR Citation: 9 CFR 590.570; 9 CFR 590.575; 9 CFR 590.146; 9 CFR 590.10; 9 CFR 590.411; 9 CFR 590.502; 9 CFR 590.504; 9 CFR 590.580; 9 CFR 591; ...

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) is proposing to require shell egg packers and egg products plants to develop and implement Hazard Analysis and Critical Control Points (HACCP) systems and Sanitation Standard Operating Procedures (SOPs). FSIS also is proposing pathogen reduction performance standards that would be applicable to pasteurized shell eggs and egg products. Plants would be expected to develop HACCP systems that ensure products meet the pathogen reduction performance standards. Finally, FSIS is proposing to amend the Federal egg and egg products inspection regulations by removing current requirements for prior approval by FSIS of egg products plant drawings, specifications, and equipment prior to their use in official plants. The Agency also plans to eliminate the prior label approval system for egg products.

The actions being proposed are part of FSIS's regulatory reform effort to improve FSIS's egg and egg products food safety regulations, better define the roles of Government and the regulated industry, encourage innovations that will improve food safety, remove unnecessary regulatory burdens on inspected egg products plants, and make the egg and egg products regulations as consistent as possible with the Agency's meat and poultry products regulations. FSIS is also taking these actions in light of changing inspection priorities and recent findings of salmonella in pasteurized egg products.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583–AC58

210. LABELING—GENERIC APPROVAL AND REGULATION CONSOLIDATION

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 451 to 470; 21 USC 601 to 695

CFR Citation: 9 CFR 317; 9 CFR 327; 9 CFR 381; 9 CFR 412

Legal Deadline: None

Abstract: This rulemaking will continue an effort initiated several years ago by amending FSIS's regulations to expand the types of labeling that are generically approved. FSIS plans to propose that the submission of labeling for approval prior to use be limited to certain types of labeling, as specified in the regulations. In addition, FSIS plans to reorganize and amend the regulations by consolidating labeling rules that currently are stated separately for livestock products and poultry products (in part 317, subpart A, and part 381, subpart N, respectively) and by amending their provisions to set out clearly various circumstances under which these products are misbranded.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250

Phone: 202 720-5627

RIN: 0583–AC59

211. NUTRITION LABELING OF GROUND OR CHOPPED MEAT AND POULTRY PRODUCTS AND SINGLE-INGREDIENT PRODUCTS

Priority: Economically Significant

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None

Abstract: FSIS is proposing to amend the Federal meat and poultry products inspection regulations to require nutrition labeling of the major cuts of single-ingredient, raw meat and poultry products. The Agency is proposing to require that nutrition information be provided for these products either on their label or at their point-of-purchase. FSIS is proposing to require nutrition labeling of the major cuts of single-ingredient, raw meat and poultry products because during the most recent surveys of retailers, the Agency did not find significant participation in the voluntary nutrition labeling program for single-ingredient, raw meat and poultry products.

In this proposed rule, FSIS is also proposing to amend its regulations to extend mandatory labeling to single-ingredient ground or chopped products. Under this proposal, individual retail packages of ground or chopped meat and ground or chopped poultry products would bear nutrition labeling. The Agency has determined that ground or chopped products are different from other single-ingredient products in several important respects. Thus, FSIS is proposing to make nutrition labeling requirements for ground or chopped products consistent with those for multi-ingredient products.

Finally, FSIS is proposing to amend the nutrition labeling regulations to provide that when a ground or chopped product does not meet the criteria to be labeled "low fat," a lean percentage claim may be included on the product label as long as a statement of the fat percentage also is displayed on the label.

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4970
NPRM Comment Period End	04/18/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583–AC60

212. PATHOGEN REDUCTION; HAZARD ANALYSIS AND CRITICAL CONTROL POINTS (HACCP) SYSTEMS; ADDITIONS TO GENERIC E. COLI CRITERIA

Priority: Other Significant

Legal Authority: 21 USC 601 to 695; 21 USC 451 to 470

CFR Citation: 9 CFR 310; 9 CFR 381

Legal Deadline: None

Abstract: FSIS is proposing to add generic E. coli criteria to the regulations. In addition, FSIS is proposing to revise the terms used to identify and define certain classes of product listed in the salmonella tables. FSIS is proposing to delay making the proposed criteria and standards applicable for 1 year for small establishments and for 2 years for very small establishments.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Sectors Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583–AC63

213. OTHER CONSUMER PROTECTION ACTIVITIES

Priority: Other Significant

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 381

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) published an advance notice of proposed rulemaking to request comments on the need and desirability of revising its approach to verifying that meat and poultry products are not misbranded, economically adulterated, or otherwise unacceptable for reasons that do not necessarily raise food safety concerns. FSIS will refer to these program activities as “other consumer protection” (OCP) activities. This notice defines and describes FSIS’ OCP activities and discusses the Agency’s need for revised regulations and verification and enforcement procedures.

Timetable:

Action	Date	FR Cite
ANPRM	03/17/00	65 FR 14486
ANPRM Comment Period End	06/15/00	
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583–AC64

214. FOOD STANDARDS; GUIDING PRINCIPLES AND STANDARDS MODERNIZATION

Priority: Other Significant

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) and the Food and Drug Administration (FDA) are proposing to modernize their food standards. The agencies are proposing that the standards be reviewed and revised by outside parties and submitted to the agencies via the petition process. The agencies are proposing a set of guiding principles that interested parties outside the agencies would use to establish, revise, or eliminate a food standard. The agencies are proposing that petitions to

establish standards or to revise or eliminate existing standards adhere to these guiding principles. If the guiding principles are adopted in the regulations, the agencies may encourage petitioners to submit revised food standards that follow the guiding principles and will review petitions submitted to ensure that they adhere to the guiding principles. If a petition does adhere to the guiding principles, the agencies may publish proposed rules to establish, revise, or eliminate standards based on the petition.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Robert Post, Director, Labeling and Consumer Protection Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 205-0279

RIN: 0583–AC72

215. POULTRY INSPECTION: REVISION OF FINISHED PRODUCT STANDARDS WITH RESPECT TO INGESTA

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 21 USC 451 to 470 et seq

CFR Citation: 9 CFR 381

Legal Deadline: None

Abstract: FSIS is seeking to clarify its Poultry Inspection Regulations regarding visible ingesta on poultry carcasses and parts. A preliminary regulatory impact analysis conducted by FSIS determined that costs to achieve zero tolerance far outweighed benefits. This action was precipitated by a civil suit filed against USDA.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive

USDA—FSIS

Proposed Rule Stage

Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC77

216. • PETITIONS FOR RULEMAKING

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 553

CFR Citation: 9 CFR 392

Legal Deadline: None

Abstract: FSIS is proposing to amend its regulations to add a new part that prescribes procedures for the submission, consideration, and disposition of petitions for rulemaking. The proposal also describes the Agency's expectations for the type of documentation that must be submitted in support of a petition and that will facilitate regulatory development. FSIS is proposing this action to provide clear guidance to those who would like to participate in the rulemaking process by petitioning FSIS to issue, amend, or repeal a rule administered by the Agency.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive

Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC81

217. • CLASSES OF POULTRY

Priority: Other Significant

Legal Authority: 21 USC 451

CFR Citation: 9 CFR 381.170(a)

Legal Deadline: None

Abstract: FSIS is proposing to amend the official U.S. classes of poultry so that they more accurately and clearly describe the characteristics of poultry in the market today. Poultry classes are defined primarily in terms of age and sex of the bird. Genetic improvements and new poultry management techniques have reduced the grow-out period for some poultry classes while extensive cross breeding has produced poultry with higher meat yields but blurred breed distinctions. This action is being taken to ensure that poultry products are labeled in a truthful and non-misleading manner.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Post, Director, Labeling and Consumer Protection Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 205-0279

RIN: 0583-AC83

218. • MANDATORY INSPECTION OF RATITES AND SQUABS

Priority: Other Significant

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 361; 9 CFR 381

Legal Deadline: None

Abstract: FSIS is amending the regulations to include ratites and squabs under mandatory poultry inspection.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Arshad Hussain, Staff Director, Inspection and Enforcement Standards Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-3219

RIN: 0583-AC84

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Food Safety and Inspection Service (FSIS)

219. BEEF OR PORK WITH BARBECUE SAUCE; REVISION OF STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 319

Legal Deadline: None

Abstract: The Food Safety and Inspection Service (FSIS) has been petitioned to amend the Federal meat inspection regulations by removing a meat yield requirement for the standardized products "Beef With Barbecue Sauce" and "Pork With Barbecue Sauce." Current regulations for these products require that the

product contain not less than 50 percent of the species identified on the label and that the weight of the cooked pork or beef not exceed 70 percent of the uncooked weight of the meat. The first requirement is consistent with other meat and sauce requirements, but the second requirement is not. The petitioner asserts that the product standard (promulgated in 1952) does not reflect current production practices or the commercial marketability of beef or pork with barbecue sauce. The petitioner further states that producers of these products are at a competitive disadvantage with other meat and sauce producers, because other meat and sauce producers do not have a 70

percent yield requirement. For example, producers of the standardized products "Beef with Gravy," "Meat Pies," and "Spaghetti with Meat and Sauce" and similar standardized products do not have any meat yield requirements.

FSIS has determined that the petitioner's request should be granted. This action would permit fair competition between meat and barbecue sauce producers, and poultry and sauce producers, and would provide consistent requirements in both the meat and poultry inspection regulations.

USDA—FSIS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	09/03/97	62 FR 46450
NPRM Comment Period End	11/03/97	
Final Action	09/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC09**220. MEAT PRODUCED BY ADVANCED MEAT/BONE SEPARATION MACHINERY AND RECOVERY SYSTEMS****Priority:** Economically Significant**Legal Authority:** 21 USC 601 to 695**CFR Citation:** 9 CFR 301.2; 9 CFR 318.24 (Revision); 9 CFR 320.1(b)(10)**Legal Deadline:** None

Abstract: In 1994, the Food Safety and Inspection Service amended its regulations to recognize that product resulting from advanced meat/bone separation machinery comes within the definition of meat when recovery systems are operated to assure that the characteristics and composition of the resulting product are consistent with those of meat. Subsequent compliance problems and other concerns have made it apparent that the regulations are confusing and inadequate to prevent misbranding and economic adulteration. Therefore, FSIS is developing a rule to clarify the regulations and supplement the rules for assuring compliance. The Agency is reviewing information obtained since publication of the proposal.

Timetable:

Action	Date	FR Cite
NPRM	04/13/98	63 FR 17959
NPRM Comment Period End	06/12/98	
Final Action	06/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive

Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC51**221. INCORPORATION OF FOOD AND COLOR ADDITIVES INTO 21 CFR****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 602 et seq; 21 USC 451 et seq; 21 USC 321 et seq**CFR Citation:** 9 CFR 318.7; 9 CFR 381.147**Legal Deadline:** None

Abstract: This final rule will amend the meat and poultry inspection regulations by completing earlier efforts to incorporate current listings in 9 CFR into 21 CFR.

Timetable:

Action	Date	FR Cite
Final Action	05/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert Post, Director, Labeling and Consumer Protection Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 205-0279

RIN: 0583-AC69**222. SHARING RECALL INFORMATION WITH STATE AND OTHER FEDERAL GOVERNMENT AGENCIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 5 USC 552; 7 CFR 1.3; 7 CFR 2.7**CFR Citation:** 9 CFR 390**Legal Deadline:** None

Abstract: FSIS proposes to add regulations concerning sharing recall information with State and other Federal Government agencies.

Timetable:

Action	Date	FR Cite
NPRM	09/19/00	65 FR 56503
NPRM Comment Period End	11/20/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC75**223. AGENCY ORGANIZATION****Priority:** Info./Admin./Other**Legal Authority:** 21 USC 451 to 470; 21 USC 601 to 695; 21 USC 1031 to 1056**CFR Citation:** 9 CFR 300; 9 CFR 301; 9 CFR 306; 9 CFR 320; 9 CFR 381; 9 CFR 590; ...**Legal Deadline:** None

Abstract: This rulemaking will amend FSIS's regulations by consolidating and updating organizational provisions that, until now, have been addressed separately in regulations adopted under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and in some instances, the Egg Products Inspection Act. The rulemaking will complete a task that the Agency began in a December 31, 1998, final rule that added information on FSIS's current responsibilities and organizational structure to the Agency's regulations and reflected the current allocation of responsibilities within the Department by redesignating regulations adopted under the EPIA and transferring them to FSIS's regulations (from those of the Agricultural Marketing Service).

Timetable:

Action	Date	FR Cite
Final Action	04/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Sectors Affected:** None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC78

USDA—FSIS

Final Rule Stage

224. • LABELING OF NATURAL OR REGENERATED COLLAGEN SAUSAGE CASINGS**Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 601 to 695; 7 USC 138f; 7 USC 450; 21 USC 451 to 470**CFR Citation:** 9 CFR 317; 9 CFR 381**Legal Deadline:** None

Abstract: FSIS is requiring that the source of natural sausage casings be disclosed on the product label if they are derived from a different type of meat or poultry than the meat or poultry in the enclosed sausage. Establishments producing, manufacturing, or using natural sausage casings or sausages encased in natural casings are also required to maintain records identifying the source of the casings. FSIS is not requiring source labeling or recordkeeping requirements for regenerated collagen casings at this time.

Timetable:

Action	Date	FR Cite
NPRM	07/17/97	62 FR 38220
NPRM Comment Period End	09/15/97	
Final Action	05/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC80**225. • FOOD STANDARDS: REQUIREMENTS FOR SUBSTANTIVE STANDARDIZED MEAT AND POULTRY PRODUCTS NAMED BY USE OF AN EXPRESSED NUTRIENT CONTENT CLAIM AND A STANDARDIZED TERM****Priority:** Other Significant**Legal Authority:** 21 USC 601; 21 USC 451**CFR Citation:** 9 CFR 381.172; 9 CFR 319.10**Legal Deadline:** None

Abstract: FSIS is amending the Federal meat and poultry inspection regulations to establish a general definition and standard of identity for standardized meat and poultry products that have been modified to qualify for use of an expressed nutrient content claim in their product names. These products will be identified by an expressed

nutrient content claim, such as “fat free,” “low fat,” and “light,” in conjunction with an appropriate standardized term. FSIS is taking this action to 1) assist consumers to maintain healthy dietary practices by providing for modified versions of standardized meat and poultry products that have reductions of certain constituents that are of health concern to some people, 2) increase regulatory flexibility and support product innovation and, 3) provide consumers with an informative nutrition labeling system.

Timetable:

Action	Date	FR Cite
NPRM	12/29/95	60 FR 67474
NPRM Comment Period End	02/27/96	
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Robert Post, Director, Labeling and Consumer Protection Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 205-0279

RIN: 0583-AC82

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Food Safety and Inspection Service (FSIS)

226. TRANSPORTATION, STORAGE, AND OTHER HANDLING OF POTENTIALLY HAZARDOUS FOODS**Priority:** Other Significant. Major under 5 USC 801.**CFR Citation:** 9 CFR 308; 9 CFR 317; 9 CFR 325; 9 CFR 381**Timetable:**

Action	Date	FR Cite
ANPRM	11/22/96	61 FR 59372
ANPRM Comment Period End	02/20/97	
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5627

RIN: 0583-AC05**227. PERFORMANCE STANDARD FOR THE CHILLING OR OTHER PROCESSING OF LIVESTOCK CARCASSES AND READY-TO-COOK POULTRY****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 9 CFR 381**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5627

RIN: 0583-AC21**228. ANTE-MORTEM AND POST-MORTEM INSPECTION OF LIVESTOCK AND POULTRY****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 9 CFR 309; 9 CFR 310; 9 CFR 381**Timetable:**

Action	Date	FR Cite
NPRM	03/00/03	

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** State

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC43

USDA—FSIS

Long-Term Actions

229. REQUIREMENTS FOR DISPOSITION AND DISPOSAL OF INSPECTED RAW MEAT AND POULTRY PRODUCTS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 9 CFR 311; 9 CFR 314; 9 CFR 320; 9 CFR 325; 9 CFR 381; 9 CFR 428; 9 CFR 455

Timetable:

Action	Date	FR Cite
NPRM	03/00/03	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: State

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC44

230. REWORKING OF MEAT AND POULTRY CARCASSES ACCIDENTALLY CONTAMINATED DURING EVISCERATION

Priority: Other Significant

CFR Citation: 9 CFR 310; 9 CFR 381; 9 CFR 433

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC53

231. REFORM OF REGULATIONS ON IMPORTED MEAT AND POULTRY PRODUCTS

Priority: Other Significant

CFR Citation: 9 CFR 327; 9 CFR 381

Timetable:

Action	Date	FR Cite
NPRM	07/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC56

232. FOOD LABELING; NUTRIENT CONTENT CLAIMS, DEFINITION OF THE TERM HEALTHY

Priority: Substantive, Nonsignificant

CFR Citation: 9 CFR 371; 9 CFR 381

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/28/99	64 FR 72490
Interim Final Rule	01/27/00	
Comment Period End		

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert Post
Phone: 202 205-0279

RIN: 0583-AC65

233. ELIMINATION OF REQUIREMENTS FOR TOTAL QUALITY CONTROL SYSTEMS

Priority: Other Significant

CFR Citation: 9 CFR 317; 9 CFR 318; 9 CFR 381

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC68

234. PERFORMANCE STANDARDS FOR ON-LINE ANTIMICROBIAL REPROCESSING OF PRE-CHILL POULTRY CARCASSES

Priority: Other Significant

CFR Citation: 9 CFR 381; 9 CFR 424

Timetable:

Action	Date	FR Cite
NPRM	12/01/00	65 FR 75187
NPRM Comment Period End	01/30/01	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC73

235. • TERMINOLOGY

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 451 to 470; 21 USC 601 to 695; 21 USC 1031 to 1056

CFR Citation: 9 CFR 301; 9 CFR 311; 9 CFR 327;; 9 CFR 381; 9 CFR 590

Legal Deadline: None

Abstract: This rulemaking will amend FSIS's regulations by consolidating and updating definitions of various terms that, until now, have been addressed separately in regulations adopted under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and in some instances, the Egg Products Inspection Act.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn, Director, Regulations and Directive Development Staff, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250
Phone: 202 720-5627

RIN: 0583-AC79

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)
Completed Actions
236. RETAINED WATER IN RAW MEAT AND POULTRY PRODUCTS; POULTRY-CHILLING PERFORMANCE STANDARDS

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 9 CFR 317; 9 CFR 381; 9 CFR 440

Completed:

Reason	Date	FR Cite
Final Action	01/09/01	66 FR 1750

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC26

237. AGENCY TERMINOLOGY

Priority: Substantive, Nonsignificant

CFR Citation: 9 CFR 301; 9 CFR 311; 9 CFR 327; 9 CFR 381; 9 CFR 590; ...

Completed:

Reason	Date	FR Cite
Withdrawn	02/01/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC57

238. TRANSFER AND DEVELOPMENT OF SHELL EGG REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Completed:

Reason	Date	FR Cite
Withdrawn	02/05/01	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn

Phone: 202 720-5627

RIN: 0583-AC70

239. INCREASES IN FEES FOR MEAT, POULTRY, AND EGG PRODUCTS INSPECTION SERVICES—FISCAL YEAR (FY) 2001

Priority: Substantive, Nonsignificant

CFR Citation: 9 CFR 391.2; 9 CFR 391.3; 9 CFR 391.4; 9 CFR 590.126; 9 CFR 590.128(a)

Completed:

Reason	Date	FR Cite
Final Action	10/10/00	65 FR 60093

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel L. Engeljohn
Phone: 202 720-5627

RIN: 0583-AC74

BILLING CODE 3410-DM-S

DEPARTMENT OF AGRICULTURE (USDA)
Foreign Agricultural Service (FAS)
Final Rule Stage
240. EXPORT SALES REPORTING REQUIREMENT

Priority: Other Significant

Legal Authority: 7 USC 5712

CFR Citation: 7 CFR 20

Legal Deadline: None

Abstract: Consideration of a proposal to add meat and meat products to the list of commodities for which advanced notice of export is reported and a streamlined electronic reporting system as the means to accomplish that reporting.

Timetable:

Action	Date	FR Cite
ANPRM	11/14/96	61 FR 58343
ANPRM Comment Period End	01/13/97	
NPRM	03/03/00	65 FR 11483
NPRM Comment Period End	05/02/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Kimberly Chisley, Regulatory Coordinator, Department of

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RIN: 0551-AA51

DEPARTMENT OF AGRICULTURE (USDA)
Foreign Agricultural Service (FAS)
Long-Term Actions
241. CCC SUPPLIER CREDIT GUARANTEE PROGRAM

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

CFR Citation: 7 CFR 1493

Timetable:

Action	Date	FR Cite
NPRM	07/19/95	60 FR 37025
NPRM Comment Period End	09/18/95	
Interim Final Rule	07/01/96	61 FR 33825
Interim Final Rule Effective	08/30/96	

Interim Final Rule Comment Period End 12/30/96

Final Action To Be Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kimberly Chisley
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USDA—FAS

Long-Term Actions

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242. FACILITY GUARANTEE PROGRAM

Priority: Other Significant

CFR Citation: 7 CFR 17; 7 CFR 1493

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/01/93	58 FR 11786
Interim Final Rule Comment Period End	06/01/93	
Interim Final Rule	08/08/97	62 FR 42651
Interim Final Rule Comment Period End	10/07/97	
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 0551-AA35

BILLING CODE 3410-10-S

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Forest Service (FS)

243. HYDROPOWER APPLICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 551; 43 USC 1761

CFR Citation: 36 CFR 251

Legal Deadline: None

Abstract: The Forest Service is revising its current policy and procedures, implemented in February 1987, concerning administration of hydropower authorizations and the processing of proposals for hydropower projects affecting National Forest System lands. These revisions are necessary to make Agency policy and procedures consistent with regulatory changes by the Federal Energy Regulatory Commission (FERC). The proposed policy was published in the Federal Register on May 22, 1995 (60 FR 27153), for a 60-day public comment period, which was extended for another 45 days (60 FR 36401). As a result of the comments received, substantial changes were made to the proposed policy (60 FR 36401). Therefore, the Forest Service is publishing a revised proposed policy for public comment.

Timetable:

Action	Date	FR Cite
NPRM	05/22/95	60 FR 27153
NPRM Comment Period Extended	07/17/95	60 FR 36401
NPRM Comment Period End	09/05/95	
Second NPRM	08/00/01	
Second NPRM Comment Period End	10/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090
Phone: 703 605-4533
Fax: 703 605-5111
Email: mconnolly@fs.fed.us

RIN: 0596-AA47

244. SMALL TRACTS ACT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 521(c) to 521(i)

CFR Citation: 36 CFR 254

Legal Deadline: None

Abstract: Implementation of the Agency's Small Tracts regulations (adopted in 1984) has revealed an inadvertent inconsistency between the regulations at 36 CFR 254.35(f) and 254.41(a) and the legislative history of the Small Tracts Act of January 12, 1983. The regulations imply that the disposal of mineral fractions by sale can only be made in response to an application from an abutting landowner, thus discouraging the conveyance by sale to the public. The Act clearly authorizes sale of mineral fractions to the public through public sale, as well as individual applications, provided that certain conditions are met. The revisions will clarify the application of the Act to ensure that both individual applications and public sale are permissible means of disposing of qualifying tracts.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	
NPRM Comment Period End	09/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090
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RIN: 0596-AA79

245. SPECIES SURPLUS TO DOMESTIC MANUFACTURING NEEDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 620 et seq

CFR Citation: 36 CFR 223.200

Legal Deadline: None

Abstract: This proposed rule would amend 36 CFR 223.200 to list species proposed to be surplus to domestic manufacturing needs. This proposed rule would implement a portion of section 620a(b) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 USC 620 et seq.). Section 620a(a) of the Act provides that no person who acquires unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States may export such timber from the United States, or sell, trade, exchange, or otherwise convey such timber from the United States, unless such timber has been determined under subsection (b) to be

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surplus to the needs of timber manufacturing facilities in the United States. Section 620a(b) of the Act provides that the prohibition contained in section (a) shall not apply to specific quantities of grades and species of unprocessed timber originating in Federal lands which the Secretary determines, through rulemaking, to be surplus to domestic manufacturing needs.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090
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RIN: 0596-AB27

246. APPEAL OF DECISIONS RELATING TO OCCUPANCY AND USE OF NATIONAL FOREST SYSTEM LANDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 472; 16 USC 551

CFR Citation: 36 CFR 251; 36 CFR 214

Legal Deadline: None

Abstract: These proposed regulations would redesignate these appeals rules as a new part 214, thus placing all appeals and notices and comment rules in close proximity. Additionally, this proposed rule would revise a number of existing provisions. For example, changes to part 251 would clarify the application of this rule to the issuance of permits for occupancy and use of National Forest System lands. When 36 CFR part 251, subpart C, regulations were promulgated in 1989, NEPA analysis and documentation was not consistently applied to the authorization of special uses. Now the authorization and the issuance of permits and other authorization requires application of the NEPA process prior to issuance. In addition, since these regulations were implemented, Congress has passed the

Appeal Reform Act. The proposed changes to the permit-related appeal rules are needed to make this regulation consistent with regulations at 36 CFR part 215. Among specific proposed changes being considered are removing the second level of appeal opportunity, removing the discretionary review option, shortening timeframes for scheduling oral presentations, and changes to conform terminology and definitions with 36 CFR part 215.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	
NPRM Comment Period End	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090
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RIN: 0596-AB45

247. SALE AND DISPOSAL OF NATIONAL FOREST SYSTEM TIMBER; EXTENSION OF TIMBER SALE CONTRACTS TO PERMIT URGENT REMOVAL OF OTHER TIMBER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 472a; 16 USC 618; 16 USC 620

CFR Citation: 36 CFR 223.50; 36 CFR 223.53

Legal Deadline: None

Abstract: This rule and policy change will provide for extension of National Forest System (NFS) timber sale contracts when such extension will permit the prompt removal and utilization of non-NFS-owned timber damaged by catastrophic events. The change will define the responsibilities of the parties for requesting and approving such extensions and specify when such extension should be approved. This change will also allow for the use of scarce timber resources and the recovery of economic benefits from timber that might otherwise be lost because of contractual obligations to harvest undamaged timber.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090
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RIN: 0596-AB48

248. LAW ENFORCEMENT SUPPORT ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1011(f); 16 USC 472; 16 USC 551; 16 USC 559(a) to 559(g); 40 USC 484(m)

CFR Citation: 36 CFR 262

Legal Deadline: None

Abstract: In February 1994, the Forest Service published proposed rule changes for parts 261 and 262 of title 36 of the Code of Federal Regulations. Due to the high level of interest in and comment on part 261, the decision was made to publish a second proposed rule. The majority of the public comment on part 262 referred to the definition section which has been revised to respond to those comments. The Forest Service has decided to issue a second proposed rule for comment on part 262, Law Enforcement Support Activities. Proposed revisions to part 261 will proceed separately.

In addition, the proposed amendment to 36 CFR part 262, Law Enforcement Support Activities, would amend the rules that govern monetary rewards and payments for information leading to the arrest and conviction of people who harm natural resources or threaten employees. The proposed rule would remove established rewards for damaging or stealing yew trees, the natural source of taxol, as taxol is now produced synthetically. The change also would clarify the procedures in subpart B for administrative impoundments and removals of livestock, dogs, and personal property.

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Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	02/16/94	59 FR 7880
NPRM Comment Period End	05/18/94	
Second NPRM	08/00/01	
Second NPRM Comment Period End	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 0596–AB61**249. NONCOMPETITIVE SALE OF TIMBER****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 472(a)**CFR Citation:** 36 CFR 223.85**Legal Deadline:** None

Abstract: This proposed rule would revise 36 CFR 223.85 by removing references to section 2001(k) of Public Law 104-19 (109 Stat. 246) and define “extraordinary conditions” to allow forest officers, without advertisement, to make modifications to timber and forest product sales, which result in the substitution of timber or forest products from outside the sale area specified in the contract. Under the proposed rule, substitute timber or forest products would have to come from the same administrative national forest and meet Agency requirements for compliance with the National Environmental Policy Act and other environmental laws. This proposed rule would not compel a timber purchaser to accept a timber sale modification offered under this rule. The rule only authorizes the Forest Service to propose modifications and to enter into discussions with purchasers on such modifications.

This proposed rule will reduce timber sale cancellations and partial cancellations, thus reducing future damage claims on timber sales.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Action	Date	FR Cite
NPRM Comment Period End	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090
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RIN: 0596–AB70**250. CATEGORICAL EXCLUSION FOR CERTAIN SPECIAL USES PERMIT ACTIONS (FSH 1909.15, CHAPTER 30)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 4321 to 4346**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: In April 1997, the Forest Service completed a reengineering study of its special uses program. One finding in that study was that the Forest Service is conducting extensive National Environmental Policy Act (NEPA) analysis and documentation for the renewal or transfer of ownership of special use authorizations having no significant effect on the human environment, either individually or cumulatively. This level of NEPA compliance is costly, time consuming, and not commensurate with the risk attributed to the activity. Therefore, the Forest Service proposes to add a new category of categorical exclusions from NEPA documentation at sections 31.1b and 31.2 of FSH 1909.15, Environmental Policy and Procedures Handbook. This action would give clearer direction regarding the NEPA obligation, when issuance of a special use authorization is a purely ministerial action and no changes are proposed in permitted activities or facilities.

Further, the Forest Service proposes to amend section 30.3 to clarify the NEPA documentation that is needed for processing applications and authorizations under a categorical exclusion when extraordinary circumstances exist. There is confusion surrounding section 30.3 about the “mere presence” of an extraordinary circumstance and the implication of a need for an Environmental Assessment

(EA) or Environmental Impact Statement (EIS). The Forest Service proposes to amend this section to provide that an identified extraordinary circumstance must clearly have a significant impact on the National Forest resource to merit preparation of an EA or EIS.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
NPRM Comment Period End	08/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 0596–AB73**251. CLARIFICATION OF EXEMPTIONS FROM SPECIAL-USE AUTHORIZATIONS****Priority:** Info./Admin./Other**Legal Authority:** 16 USC 477 to 482; 16 USC 551; 43 USC 1761 to 1771**CFR Citation:** 36 CFR 251.50(c)**Legal Deadline:** None

Abstract: In April 1997, the Forest Service completed a reengineering study of its special uses program on how to manage the program in a more businesslike, customer-service-oriented way. The Agency proposes the following revisions to 36 CFR 251.50 that would implement recommendations from this study. The study determined that many units are issuing special use authorizations unnecessarily, thereby increasing workloads. The study concluded that the Agency should clarify the special uses rules at section 251.50(a) to make explicitly clear that special use authorizations should not be issued for activities that are regulated by other Forest Service regulations; for example, those governing the disposal of timber (part 223); minerals (part 228); the use of forest development roads and trails (part 212 and section 251.110); and the grazing of cattle (part 222). The study also concluded that section 251.50(d)

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Proposed Rule Stage

should be revised to direct that special use authorizations should not be issued where such authorization would serve no land or resource management objective and would have nominal effects on National Forest System lands; for example, where activities are adequately regulated by other governmental entities or where an authorized officer determines that normal operation and maintenance by the holder is within the scope of a right-of-way, easement, or other valid existing real property interest. Further, the rule at section 251.50(c) would be revised to clarify that, in emergency situations, a special use authorization should be sought at the earliest opportunity following the emergency to ensure that appropriate measures are carried out to protect National Forest System lands after the emergency situation no longer exists.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
NPRM Comment Period End	08/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 0596-AB74

252. SALE AND DISPOSAL OF NATIONAL FOREST SYSTEM TIMBER; TIMBER EXPORT AND SUBSTITUTION RESTRICTIONS**Priority:** Other Significant**Legal Authority:** 16 USC 620**CFR Citation:** 36 CFR 223; 36 CFR 261**Legal Deadline:** None

Abstract: The proposed rule for timber export and substitution restrictions would implement the Forest Resources Conservation and Shortage Relief Act of 1990, as amended. The proposed rule defines the certain terms necessary to facilitate uniform compliance; prohibits transfer of unprocessed private timber for export by a person who possesses or acquires unprocessed

Federal timber; prohibits export of such unprocessed private timber by a third or successive party; prescribes procedures for reporting the acquisition and disposition of NFS and private timber requiring domestic processing, including transfers; prescribes procedures for identifying unprocessed National Forest Service and private timber requiring domestic processing; and establishes procedures for assessing civil and criminal penalties and applying administrative remedies for violations of the Act, its implementing regulations, and contracts subject to the Act.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
NPRM Comment Period End	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

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RIN: 0596-AB75

253. • USE OF FIXED ANCHORS IN WILDERNESS

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: Not Yet Determined**CFR Citation:** 36 CFR 261**Legal Deadline:** None

Abstract: The Forest Service is proposing to issue regulations on the use of climbing equipment in designated wilderness areas within the National Forest System (NFS). Prior to the adoption of the Wilderness Act, certain climbing equipment, including rock bolts, have been placed in rock faces by climbers. This practice has continued for several decades and is the focus of controversy among wilderness users. An increase in the popularity of bolt-intensive form of rock climbing in the early 1990s has fueled this controversy. Some wilderness advocates consider rock

bolts and other anchors, left behind by climbers, as permanent improvements.

To address this issue on NFS lands, a negotiated rulemaking committee was convened in June 2000. After four 2-day meetings, the group failed to reach consensus on several aspects of the issue; however, consensus was reached on other aspects. The Agency is moving forward with a proposal that utilizes the advice of the committee and the aspects that were agreed upon by the committee. The Agency intends to propose for public comment several alternatives to define and regulate permanent fixed anchors, including bolts. Resolving these issues through rulemaking is preferable to other dispute resolution alternatives, such as litigation or legislative amendment.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	
NPRM Comment Period End	11/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined

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RIN: 0596-AB80

254. • SPECIAL FOREST PRODUCTS AND FOREST BOTANICAL PRODUCTS**Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 36 CFR 223**Legal Deadline:** None

Abstract: The Forest Service proposes to promulgate regulations for managing special forest products and forest botanical products. The regulations will guide the Forest Service in the administration of the broader category of special forest products. The proposed rule also implements Public Law 106-113, Pilot Program of Charges and Fees for Harvest of Forest Botanical Products, Appropriations Act H.R.

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Proposed Rule Stage

3423, section 339, Forest Botanical Products. Forest botanical products include products, such as herbs, berries, seeds, and wildflowers that are not wood products. The intended effect of this rule is to give guidance and consistency for the sustainability and sale of special forest products and forest botanical products.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	
NPRM Comment Period End	10/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

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RIN: 0596-AB81

255. • DETERMINING FAIR MARKET VALUE FOR RECREATION RESIDENCE USE AUTHORIZATIONS

Priority: Info./Admin./Other

Legal Authority: 16 USC 497; PL 106-291, title VI

CFR Citation: None

Legal Deadline: None

Abstract: The appropriations act for the Department of the Interior and related agencies for fiscal year 2001 (Pub.L. 106-291) contains provisions in title VI “Cabin User Fee Fairness Act of 2000” to ensure consistent and fair processes for appraising the fee simple value of recreation residence lots on National Forest System (NFS) lands. This act (1) establishes in law that the base annual fee for recreation residences is 5 percent of the market value of the lot; (2) changes the appraisal cycle period from 20 years to 10 years; and (3) requires the Secretary of Agriculture to (a) complete an inventory of utilities, access, and facilities serving each recreation residence tract or lot and document who paid for the installation of those improvements; (b) develop a new set of guidelines for conducting appraisals for recreation residences on NFS lands; (c) use a different annual indexing indicator; and (d) issue new Agency direction to implement the provisions of the Act within 2 years of its passage (10/11/2000). The Forest Service proposes to publish notice in the Federal Register of policy changes

to the Forest Service Manual (FSM 2723) and Handbooks (FSH 2709.11, sec. 33; and FSH 5409.12, ch. 6) that would make Agency direction consistent with the requirements in the Act for the base annual fee and appraisal cycle (described in the preceding items (1) and (2)) and to request public comment on those policy changes related to the inventory, guidelines for appraisals, and indexing indicator (described in the preceding items (3)(a) to (3)(d)). Comments will be considered in development of the final policy.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
NPRM Comment Period End	08/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

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RIN: 0596-AB83

DEPARTMENT OF AGRICULTURE (USDA) Forest Service (FS)

Final Rule Stage

256. INDIAN ALLOTMENTS ON NATIONAL FOREST SYSTEM LANDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 1603; 43 USC 1740; 25 USC 337

CFR Citation: 36 CFR 254

Legal Deadline: None

Abstract: This rule sets forth Forest Service procedures and role in the regulation of Indian allotments on National Forest System land. The Indian Allotment Act, as amended, authorizes the Secretary of the Interior to make allotments of National Forest System lands to Indians for homesteading and agricultural and grazing purposes. The Forest Service

has relied upon USDI rules and procedures at 43 CFR 2533 to govern its involvement in Indian allotment cases. Litigation and a decision by the Interior Board of Land Appeals require the Forest Service to set forth its own regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/22/87	52 FR 23473
NPRM Comment Period End	07/22/87	
Final Action	09/00/01	
Final Action Effective	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AA52

257. DISPOSAL OF NATIONAL FOREST TIMBER; CANCELLATION OF TIMBER SALE CONTRACTS

Priority: Other Significant

Legal Authority: 16 USC 472a; 16 USC 551; 16 USC 618

CFR Citation: 36 CFR 223.30; 36 CFR 223.40; 36 CFR 223.116

Legal Deadline: None

USDA—FS

Final Rule Stage

Abstract: Current regulations governing cancellation of National Forest timber sale contracts do not adequately protect the Government's financial interests in the event the Forest Service is forced to cancel contracts due to events beyond its control arising from compliance with environmental statutes. This rulemaking would remove an unworkable compensation-of-damages formula and establish a termination-for-environmental-protection clause in timber sale contracts, a standard in most Federal procurement contracts.

Timetable:

Action	Date	FR Cite
NPRM	12/30/96	61 FR 68690
NPRM Comment Period End	02/13/97	
Final Action	05/00/01	
Final Action Effective	06/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB21

258. COLLECTION OF REIMBURSABLE COSTS FOR PROCESSING SPECIAL-USE APPLICATIONS AND ADMINISTRATION OF SPECIAL-USE AUTHORIZATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1764; 30 USC 181

CFR Citation: 36 CFR 251

Legal Deadline: None

Abstract: The objective of this proposal is to incorporate into regulation the authority contained in the Mineral Leasing Act and the Federal Land Policy and Management Act to

reimburse the United States for reasonable administrative costs associated with the issuance and administration of special-use authorizations on National Forest System lands. It responds to a recommendation contained in GAO Audit Report RCED-97-16 (12/96).

Timetable:

Action	Date	FR Cite
NPRM	11/24/99	64 FR 66341
NPRM Comment Period Extended	12/29/99	64 FR 72971
NPRM Comment Period End	02/04/00	
Comment Period Extended	02/25/00	65 FR 10042
Comment Period End	03/09/00	
Final Action	06/00/01	
Final Action Effective	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Cost reimbursement for processing special-use applications and administration of special-use authorizations was originally included under RIN 0596-AA36. All provisions pertaining to the special-use application and administration process have been merged with RIN 0596-AB35. Thus, this rulemaking addresses only the cost-reimbursement provisions.

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RIN: 0596-AB36

259. PREFERENCE FOR VISITOR SERVICE; ALASKA NATIONAL FOREST CONSERVATION SYSTEM UNITS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3197

CFR Citation: 36 CFR 251

Legal Deadline: None

Abstract: The Forest Service is issuing regulations to define and establish procedures for administering the statutory rights and preferences established by the Alaska National Interest Lands Conservation Act of 1980 for historical operators, Native Corporations, and local residents to conduct revenue producing visitor services on certain National Forest System Lands in Alaska. The regulations are necessary to comply with section 1307 of the Alaska National Interest Lands Conservation Act, which requires the Secretary of Agriculture to give preference to persons he determines by rule are local residents. The regulations, which have been developed in close consultation with the other Federal land managing agencies in Alaska, will apply only to Conservation System Units administered by the Forest Service. As applied to these regulations, administered Conservation System Units are Forest Service national monuments units of the National Wild and Scenic River Systems, National Trails System, and the National Wilderness Preservation System in Alaska.

Timetable:

Action	Date	FR Cite
NPRM	04/25/97	62 FR 20140
NPRM Comment Period End	06/24/97	
Final Action	10/00/01	
Final Action Effective	11/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0596-AB57

DEPARTMENT OF AGRICULTURE (USDA)
Forest Service (FS)
Completed Actions
**260. NATIONAL FOREST SYSTEM
LAND AND RESOURCE
MANAGEMENT PLANNING**
Priority: Other Significant**CFR Citation:** 36 CFR 219**Completed:**

Reason	Date	FR Cite
Final Action	11/09/00	65 FR 65714
Final Action Effective	11/09/00	

**Regulatory Flexibility Analysis
Required:** No
Government Levels Affected: None
Agency Contact: Marian P. Connolly
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RIN: 0596-AB20
**261. ADMINISTRATION OF THE
FOREST DEVELOPMENT
TRANSPORTATION SYSTEM**
Priority: Other Significant**CFR Citation:** 36 CFR 212**Completed:**

Reason	Date	FR Cite
Final Action	01/12/01	66 FR 3205
Final Action Effective	01/12/01	

**Regulatory Flexibility Analysis
Required:** No
Government Levels Affected: None
Agency Contact: Marian P. Connolly
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RIN: 0596-AB67
**262. APPEAL OF REGIONAL GUIDES
AND NATIONAL FOREST LAND AND
RESOURCE MANAGEMENT PLANS;
MULTI-AGENCY DECISIONS**
Priority: Other Significant**CFR Citation:** 36 CFR 217**Completed:**

Reason	Date	FR Cite
Withdrawn	03/21/01	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected:
 Undetermined

Agency Contact: Marian P. Connolly
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RIN: 0596-AB76
**263. SPECIAL AREAS: ROADLESS
AREA CONSERVATION**
Priority: Other Significant. Major under 5 USC 801.**CFR Citation:** 36 CFR 294**Completed:**

Reason	Date	FR Cite
Final Action	01/12/01	66 FR 3243
Extension Final Effective Date	02/05/01	66 FR 8899
Final Action Effective	05/12/01	

**Regulatory Flexibility Analysis
Required:** No
Government Levels Affected: None
Agency Contact: Marian P. Connolly
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RIN: 0596-AB77**BILLING CODE** 3410-11-S
DEPARTMENT OF AGRICULTURE (USDA)
Office of the Secretary (AgSEC)
Proposed Rule Stage
**264. • GENERAL NONPROCUREMENT
REGULATIONS**
Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 5 USC 901 et seq**CFR Citation:** 7 CFR 3020**Legal Deadline:** None

Abstract: USDA published 7 CFR part 3015, Uniform Federal Assistance Regulations, in 1981 to establish and codify departmentwide policies and standards for administering grants and cooperative agreements to governmental and nongovernmental entities. Since that time, the Office of Management and Budget has lead efforts to establish Governmentwide common rules for governmental and nongovernmental

recipients of grants and cooperative agreements. Consequently, over the years, USDA has codified its Governmentwide common rules in other parts of title 7 of the CFR. This has resulted in corresponding amendments to part 3015 to revise its scope accordingly. We are proposing to remove part 3015 and to add part 3020 to parts of title 7. We are proposing to include other administrative requirements that were never codified. The alternative would be to continue to work with the disjointed, outdated part 3015. Expected results are that the new part 3020 will be more clear and concise and will only contain those crosscutting requirements not included in other USDA departmentwide administrative regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: State,
 Local, Tribal
Federalism: Undetermined
Agency Contact: Gerald Miske,
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DEPARTMENT OF AGRICULTURE (USDA)
Office of the Secretary (AgSEC)
Long-Term Actions
**265. NONDISCRIMINATION IN USDA-
CONDUCTED PROGRAMS AND
ACTIVITIES**
Priority: Substantive, Nonsignificant**CFR Citation:** 7 CFR 15**Timetable:**

Action	Date	FR Cite
NPRM	04/23/96	61 FR 17851
NPRM Comment Period End	05/23/96	
Second NPRM	11/10/98	63 FR 62962
Second NPRM Comment Period End	12/10/98	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** David Winningham
Phone: 202 720-5212**RIN:** 0503-AA15
**266. DESIGNATION OF RURAL
EMPOWERMENT ZONES AND
ENTERPRISE COMMUNITIES**
Priority: Other Significant**CFR Citation:** 7 CFR 25**Timetable:**

Action	Date	FR Cite
NPRM	04/27/00	65 FR 24656
NPRM Comment Period End	06/26/00	
Next Action	Undetermined	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:**
Undetermined**Agency Contact:** Jay Norman Reid
Phone: 202 619-7980**RIN:** 0503-AA20**BILLING CODE** 3410-90-S
DEPARTMENT OF AGRICULTURE (USDA)
Rural Business-Cooperative Service (RBS)
Prerule Stage
**267. • INTERMEDIARY RELENDING
PROGRAM PARTICIPATION
AGREEMENTS**
Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 7 USC
1932 note**CFR Citation:** 7 CFR 4274 subpart D**Legal Deadline:** None**Abstract:** The Agency is considering
authorizing Intermediary RelendingProgram intermediaries to sell
participation agreements in their loans.**Timetable:**

Action	Date	FR Cite
ANPRM	08/00/01	
ANPRM Comment Period End	10/00/01	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Wayne Stansbery,
Loan Specialist, Specialty Lenders
Division, Department of Agriculture,
Rural Business-Cooperative Service,
Room 6867/Stop 3225, 1400
Independence Avenue SW,
Washington, DC 20250-3225
Phone: 202 720-6819
Fax: 202 720-6561
Email: wayne.stansbery@usda.gov**RIN:** 0570-AA33
DEPARTMENT OF AGRICULTURE (USDA)
Rural Business-Cooperative Service (RBS)
Proposed Rule Stage
**268. BUSINESS AND INDUSTRY
DIRECT LOAN PROGRAM**
Priority: Other Significant**Legal Authority:** 7 USC 1989; 42 USC
1480; 5 USC 301**CFR Citation:** 7 CFR 1980 subpart A;
7 CFR 1980 subpart E; 7 CFR 1942
subpart A; 7 CFR 1951 subpart E; 7
CFR 4274 subpart I; 7 CFR 4287
subpart H**Legal Deadline:** None**Abstract:** The Agency currently utilizes
RD Instructions 1980-A and E, 1942-
A, and 1951-E to make and service new
and existing direct B&I loans. These
regulations contain very limited
direction in direct B&I loanmaking. The
Agency is writing new regulations to
replace the instructions for direct
loanmaking and servicing. This
program will complement the Agency's
existing guaranteed (B&I) loan program.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/01	
NPRM Comment Period End	12/00/01	

**Regulatory Flexibility Analysis
Required:** Yes**Small Entities Affected:** Businesses,
Governmental Jurisdictions,
Organizations**Government Levels Affected:** Local,
Tribal**Agency Contact:** Richard Bonnet,
Senior Loan Specialist, Processing
Division, Department of Agriculture,
Rural Business-Cooperative Service,
Room 6864/Stop 3224, 1400
Independence Avenue SW,
Washington, DC 20250
Phone: 202 720-1804
Email: rick.bonnet@usda.gov**RIN:** 0570-AA22
**269. BUSINESS AND INDUSTRIAL
GUARANTEED LOAN PROGRAM—
MISCELLANEOUS CHANGES**
Priority: Other Significant**Legal Authority:** 7 USC 1989; 42 USC
1480; 5 USC 301**CFR Citation:** 7 CFR 4287 subpart B;
7 CFR 4279 subpart A; 7 CFR 4279
subpart B**Legal Deadline:** None**Abstract:** Revisions are proposed in the
following areas: Exclusion of financing
agriculture production, limiting debt
refinancing, definition of rural and
rural area, criteria for reducing percent
of guarantee, revising loan priority
criteria, eligibility issues when an
applicant is delinquent on Federal debt,
title IX provisions, additional
administrative guidance, tightening
eligibility criteria for non-bank lenders,
removing the need for a Regional
Attorney review for transfers and

USDA—RBS

Proposed Rule Stage

assumptions of existing loans, limiting debt refinancing, limiting packaging fees, adjusting loan priorities, additional application requirements for certain applicants, and various other minor editorial changes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	02/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Richard Bonnet, Senior Loan Specialist, Processing Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6864/Stop 3224, 1400 Independence Avenue SW, Washington, DC 20250
Phone: 202 720-1804
Email: rick.bonnet@usda.gov

RIN: 0570-AA23

270. AFFIRMATIVE FAIR HOUSING MARKETING PLAN

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 301; 7 USC 1989; 42 USC 1480

CFR Citation: 7 CFR 1703 subpart B; 7 CFR 1942 subpart G; 7 CFR 4284 subpart D; 7 CFR 4287 subpart B; 7 CFR 4279 subpart B; 7 CFR 4274 subpart D; 7 CFR 4280 subpart A; 7 CFR 4287 subpart H

Legal Deadline: None

Abstract: This action will incorporate the requirement for housing-related projects (such as apartment buildings, nursing homes, group homes, and assisted living type facilities) to develop an Affirmative Fair Housing Marketing Plan (plan) when receiving funding from the Intermediary Relending Program, Rural Business Enterprise Grant Program, Rural Business Opportunity Grant Program, Rural Economic Development Loan and Grant Programs, and the Business and Industry Direct and Guaranteed Loan Programs. The plan will describe

strategies to attract applications from all groups in a housing market area and efforts to reach those persons in the market area who traditionally would not be expected to apply for housing. The Rural Housing Service Multifamily Housing Program regulations currently include this borrower requirement. We estimate this action will impact a total of 100 housing-related projects not previously required to complete a plan.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	
NPRM Comment Period End	12/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Concepcion Malazo, Loan Specialist Servicing Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6858/Stop 3224, 1400 Independence Avenue SW, Washington, DC 20250-3224
Phone: 202 690-3810

RIN: 0570-AA24

271. BUSINESS AND INDUSTRY GUARANTEED LOAN PROGRAM—FINANCING COOPERATIVE STOCK

Priority: Other Significant

Legal Authority: 7 USC 1989; 42 USC 1480; 5 USC 301

CFR Citation: 7 CFR 4279 subpart B; 7 CFR 4279 subpart A

Legal Deadline: None

Abstract: The Agency proposes to revise the Business and Industry Program regulations to incorporate additional guidance and eliminate or reduce certain requirements when financing cooperative stock. It also proposes to develop a streamlined application form when financing working capital, which includes cooperative stock.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	
NPRM Comment Period End	12/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Agency Contact: Richard Bonnet, Senior Loan Specialist, Processing Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6864/Stop 3224, 1400 Independence Avenue SW, Washington, DC 20250
Phone: 202 720-1804
Email: rick.bonnet@usda.gov

RIN: 0570-AA26

272. RURAL BUSINESS ENTERPRISE GRANT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 7 USC 1932; 7 USC 1989; 16 USC 1005

CFR Citation: 7 CFR 1942; 7 CFR 4284

Legal Deadline: None

Abstract: The Agency proposes to rewrite and renumber 7 CFR 1942, subpart G, "Rural Business Enterprise Grant Program" to 7 CFR part 4284, subpart B, to incorporate public law changes and clarify administrative regulatory procedures and guidelines in order to improve program administration.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
NPRM Comment Period End	08/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Amy Cavanaugh, Loan Specialist, Department of Agriculture, Rural Business-Cooperative Service, Room 6867/Stop 3225, 1400 Independence Avenue SW, Washington, DC 20250-3225
Phone: 202 690-2516
Fax: 202 720-6561
Email: amy.cavanaugh@usda.gov

RIN: 0570-AA28

DEPARTMENT OF AGRICULTURE (USDA)
Rural Business-Cooperative Service (RBS)

Final Rule Stage

273. RURAL ECONOMIC DEVELOPMENT LOAN AND GRANT PROGRAM
Priority: Other Significant**Legal Authority:** 7 USC 940c**CFR Citation:** 7 CFR 1703 subpart B; 7 CFR 4280 subpart A**Legal Deadline:** None

Abstract: This action is part of a reinvention laboratory initiative of the Department of Agriculture and Rural Business-Cooperative Service. The regulations will be written in a "plain language" style. The regulation will be simpler and improve the ease of use by the public and program beneficiaries. The regulation will be written in a question and answer format from the perspective of questions from the applicant under this program. The regulations will simplify the application format, review and selection process, and recipient's recordkeeping requirements. It will also add a section on the appeal of adverse decisions. The comment period on the proposed rule ended February 14, 2000. The Agency received 28 written comments. The Agency conducted a meeting, which was open to the public on August 2, 2000, to allow the Agency to listen to oral presentations from the general public on the proposed rule. The Agency will respond to the comments made at the meeting in the preamble to the final rule as part of the rulemaking processing under the Administrative Procedures Act.

Timetable:

Action	Date	FR Cite
NPRM	12/15/99	64 FR 69937
NPRM Comment Period End	02/14/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No
Government Levels Affected: None

Agency Contact: Patricia Wing, Loan Specialist, Department of Agriculture, Room 6867, South Building, STOP 3225, Washington, DC 20250
 Phone: 202 720-9558
 Email: pwing@rus.usda.gov

RIN: 0570-AA19
274. ALLOCATION FORMULAS
Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480**CFR Citation:** 7 CFR 1940 subpart L**Legal Deadline:** None

Abstract: This action will amend existing regulations for allocating program funds among Agency State offices. It will add the Rural Business Opportunity Grant Program and update the formulas used for Rural Business Enterprise Grant and Business and Industry Programs.

Timetable:

Action	Date	FR Cite
NPRM	08/03/00	65 FR 47695
NPRM Comment Period End	10/02/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No
Government Levels Affected: None

Agency Contact: Wayne Stansbery, Loan Specialist, Specialty Lenders Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6867/Stop 3225, 1400 Independence Avenue SW, Washington, DC 20250-3225

Phone: 202 720-6819

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Email: wayne.stansbery@usda.gov

RIN: 0570-AA30
275. • THE RURAL BUSINESS ENTERPRISE GRANTS AND TELEVISION DEMONSTRATION GRANTS
Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 7 USC 1932; 7 USC 1989; 16 USC 1005**CFR Citation:** 7 CFR 1942 subpart G**Legal Deadline:** None

Abstract: The Agency proposes to revise its regulation by clarifying the definition of small and emerging private business enterprise. This action will streamline the regulation and reduce the burden to the applicant in meeting the restricted definition.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/01	
Interim Final Rule Comment Period End	10/00/01	

Regulatory Flexibility Analysis Required: No
Government Levels Affected: None

Agency Contact: Amy Cavanaugh, Loan Specialist, Department of Agriculture, Rural Business-Cooperative Service, Room 6867/Stop 3225, 1400 Independence Avenue SW, Washington, DC 20250-3225
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 Email: amy.cavanaugh@usda.gov

RIN: 0570-AA32
DEPARTMENT OF AGRICULTURE (USDA)
Rural Business-Cooperative Service (RBS)

Long-Term Actions

276. RURAL AND RURAL AREA UNDER THE RURAL COMMUNITY ADVANCEMENT PROGRAM
Priority: Other Significant**CFR Citation:** 7 CFR 4279; 7 CFR 1980; 7 CFR 1942; 7 CFR 4284**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No
Government Levels Affected: Local

Agency Contact: Bill Hagy
 Phone: 202 720-7287

RIN: 0570-AA27
277. BUSINESS AND INDUSTRY GUARANTEED LOAN PROGRAM—DOMESTIC LAMB INDUSTRY ADJUSTMENT ASSISTANCE PROGRAM SET-ASIDE
Priority: Substantive, Nonsignificant**CFR Citation:** 7 CFR 4279 subpart B**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/30/00	65 FR 64596

USDA—RBS

Long-Term Actions

Action	Date	FR Cite
Interim Final Rule Effective	10/30/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Roland T. Woodfolk

Phone: 202 690-3805
 Fax: 202 690-3808
 Email: roland.woodfolk@usda.gov
RIN: 0570-AA31
BILLING CODE 3410-07-S

DEPARTMENT OF AGRICULTURE (USDA)
Rural Utilities Service (RUS)

Proposed Rule Stage

278. TELECOMMUNICATIONS STANDARDS AND SPECIFICATIONS FOR MATERIALS, EQUIPMENT, AND CONSTRUCTION
Priority: Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq**CFR Citation:** 7 CFR 1755**Legal Deadline:** None

Abstract: The Rural Utilities Service (RUS) proposes to amend 7 CFR 1755 to include requirements presently contained in RUS Bulletin 345-3. This rule would establish and codify provisions for the inclusion and removal for products from I.P. 344-2. This rule also proposes to integrate the existing section on field trials in the procedures for product acceptance and inclusion in this codification, as well as clarifying the reorganizing the field trials section.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522
 Phone: 202 720-9550
 Fax: 202 720-4120
RIN: 0572-AB40

279. SERVICING OF WATER PROGRAMS LOANS AND GRANTS
Priority: Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 7 CFR 1782; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956**Legal Deadline:** None

Abstract: This proposed action combines nine existing loan-servicing regulations of Water Programs into one. The new regulations will codify and clarify Water Programs policy relating to loan-servicing by incorporating simplified language without significantly changing any of the Agency's servicing policies or procedures.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
NPRM Comment Period End	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522
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 Fax: 202 720-4120
RIN: 0572-AB59

280. MERGERS AND CONSOLIDATIONS OF ELECTRIC BORROWERS
Priority: Substantive, Nonsignificant**Legal Authority:** 7 USC 901 to 950b; 7 USC 1981; PL 99-591; PL 103-354**CFR Citation:** 7 CFR 1717**Legal Deadline:** None

Abstract: The Rural Utilities Service is proposing to amend subpart D to eliminate the additional 24-month extension to the reimbursement period offered as transitional assistance in connection with new loans to systems that have merged after December 19, 1996, as stated in section 1717.154(c).

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
NPRM Comment Period End	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522
 Phone: 202 720-9550
 Fax: 202 720-4120
RIN: 0572-AB63

281. PRE-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED TELECOMMUNICATIONS LOANS
Priority: Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; PL 103-354**CFR Citation:** 7 CFR 1737**Legal Deadline:** None

Abstract: The Rural Utilities Service proposes to revise subparts A, C, D, E, F, H, and J to update the requirements related to the preparation and review of loan applications.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
NPRM Comment Period End	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: F. Lamont Heppe Jr., Director, Program Development & Reg

USDA—RUS

Proposed Rule Stage

Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB64

282. • DEMAND SIDE MANAGEMENT AND RENEWABLE ENERGY SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq

CFR Citation: 7 CFR 1710

Legal Deadline: None

Abstract: The Agency is removing subpart H in its entirety.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

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Fax: 202 720-4120

RIN: 0572-AB65

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Rural Utilities Service (RUS)

283. POST-LOAN POLICIES AND PROCEDURES COMMON TO GUARANTEED AND INSURED LOANS

Priority: Other Significant

Legal Authority: 7 USC 941 et seq; 7 USC 6941 et seq; 7 USC 1921 et seq

CFR Citation: 7 CFR 1610; 7 CFR 1744

Legal Deadline: None

Abstract: As part of the Rural Utilities Service's (RUS) continuing effort to streamline and simplify regulations and to reduce burdens on borrowers, RUS and RTB intend to revise and reform their loan contract and mortgage documents.

Timetable:

Action	Date	FR Cite
ANPRM	08/18/98	63 FR 44175
ANPRM Comment Period End	09/17/98	
NPRM	12/15/99	64 FR 69946
NPRM Comment Period End	02/14/00	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB48

284. WATER AND WASTE DISPOSAL PROGRAMS GUARANTEED LOANS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 7 USC 1989; 16 USC 1005

CFR Citation: 7 CFR 1779; 7 CFR 1980

Legal Deadline: None

Abstract: The Agency is issuing a final rule to consolidate its regulations governing the Water and Waste Disposal Guaranteed Loan Program from two regulations into one regulation. Current terms and processes will be used.

Timetable:

Action	Date	FR Cite
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB57

285. ELIMINATION OF CURRENT RATIO REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq

CFR Citation: 7 CFR 1717

Legal Deadline: None

Abstract: As part of its ongoing program to streamline regulations, RUS is amending its regulations to eliminate the requirement that a borrower maintain a current ratio, equal to or greater than one, immediately following a cash distribution. RUS believes the requirement that a borrower maintain a current ratio, greater than or equal to one, following a cash distribution severely restricts the borrower's ability to independently manage cash flow. The elimination of this requirement will provide borrowers additional flexibility as they manage cash flow and determine when to declare or pay dividends, pay or determine to pay any patronage refunds, retire any patronage capital, or make any other cash distributions.

Timetable:

Action	Date	FR Cite
Direct Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB58

USDA—RUS

Final Rule Stage

286. EXTENSIONS OF PAYMENTS OF PRINCIPAL OR PRINCIPAL AND INTEREST**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq**CFR Citation:** 7 CFR 1721**Legal Deadline:** None**Abstract:** This rule will add subpart b which will set forth the procedures under which borrowers may request an extension for the payment of principal and interest.**Timetable:**

Action	Date	FR Cite
NPRM	01/09/01	66 FR 1604
NPRM Comment Period End	03/12/01	
Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB60**287. SETTLEMENT OF DEBT****Priority:** Other Significant**Legal Authority:** 7 USC 901 to 950b; 7 USC 1981; PL 99-591; PL 103-354**CFR Citation:** 7 CFR 1717**Legal Deadline:** None**Abstract:** The Rural Utilities Service will amend subpart Y to provide the Administrator with needed flexibility when addressing requests by borrowers

to exercise authority thereunder in circumstances not otherwise explicitly contemplated in the regulation.

Timetable:

Action	Date	FR Cite
Direct Final Rule	09/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB61**288. POLICY ON AUDITS OF RUS BORROWERS; GENERALLY ACCEPTED GOVERNMENT AUDITING STANDARDS (GAGAS)****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq**CFR Citation:** 7 CFR 1773**Legal Deadline:** None**Abstract:** The Rural Utilities Service is amending its regulations to include in its audit requirements for electric and telecommunications borrowers recent amendments to the Generally Accepted Government Auditing Standards (GAGAS) issued by the Government Accounting Office (GAO) and to make other minor changes and corrections.**Timetable:**

Action	Date	FR Cite
Direct Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB62**289. • POLICY ON AUDITS OF RUS BORROWERS: MANAGEMENT LETTER****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq**CFR Citation:** 7 CFR 1773**Legal Deadline:** None**Abstract:** RUS is amending its regulations by revising certain requirements regarding the management letter to be provided by RUS by certified public accountants as part of audits of RUS borrowers.**Timetable:**

Action	Date	FR Cite
Direct Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

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RIN: 0572-AB66

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Rural Utilities Service (RUS)

290. ELECTRIC STANDARDS AND SPECIFICATIONS FOR MATERIALS AND CONSTRUCTION**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1728**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe
Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AA67

USDA—RUS

Long-Term Actions

291. RUS APPROVAL OF ADDITIONS AND EXTENSIONS TO ELECTRIC PLANTS**Priority:** Other Significant**CFR Citation:** 7 CFR 1717.603**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB38**292. TELECOMMUNICATIONS SYSTEM CONSTRUCTION CONTRACT AND SPECIFICATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1755**Timetable:**

Action	Date	FR Cite
ANPRM	09/16/98	63 FR 49504
ANPRM Comment Period End	12/15/98	
NPRM	08/25/00	65 FR 51773
NPRM Comment Period End	12/26/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB41**293. THE "BUY AMERICAN" REQUIREMENT****Priority:** Other Significant**CFR Citation:** 7 CFR 1787**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB55

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Rural Utilities Service (RUS)

294. SOLID WASTE MANAGEMENT GRANTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1775 subpart B**Completed:**

Reason	Date	FR Cite
Withdrawn	02/16/01	

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** Local**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB14

Phone: 202 720-9550

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RIN: 0572-AB15**296. SEISMIC SAFETY****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1792 C**Completed:**

Reason	Date	FR Cite
Final Action	12/28/00	65 FR 76915

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB47**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

RIN: 0572-AB52**295. TECHNICAL ASSISTANCE AND TRAINING GRANTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1775 subpart A**Completed:**

Reason	Date	FR Cite
Withdrawn	02/16/01	

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** Local**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe**297. GENERAL AND PRE-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED ELECTRIC LOANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1710**Completed:**

Reason	Date	FR Cite
Notice of Confirmation of Direct Final Rule	11/20/00	65 FR 69657

298. ELECTRIC ENGINEERING, ARCHITECTURAL SERVICES, AND DESIGN POLICIES AND PROCEDURES**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1724**Completed:**

Reason	Date	FR Cite
Final Action	10/23/00	65 FR 63195

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** F. Lamont Heppe

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RIN: 0572-AB54

BILLING CODE 3410-15-S

DEPARTMENT OF AGRICULTURE (USDA)
Natural Resources Conservation Service (NRCS)
Proposed Rule Stage**299. CONSERVATION OF PRIVATE GRAZING LAND****Priority:** Other Significant**Legal Authority:** 16 USC 2005b**CFR Citation:** 7 CFR 610**Legal Deadline:** None

Abstract: Private grazing land constitutes nearly one-half of the non-Federal land of the United States and is basic to environmental, social, and economic stability of rural areas. In fact, grazing land constitutes the single largest watershed cover type in the United States and contributes significantly to the quality and quantity of water for all of the many uses in the watershed. Congress recognized the importance of grazing lands in subtitle H, section 386, of the Federal Agriculture Improvement and Reform Act of 1996 by authorizing the Secretary to provide a coordinated technical, educational, and related assistance program to conserve and enhance private grazing lands.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Final Rule	03/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 0578-AA29**300. EMERGENCY WATERSHED PROTECTION PROGRAM****Priority:** Other Significant**Legal Authority:** PL 81-516; 33 USC 701; PL 95-334; 16 USC 2203**CFR Citation:** 7 CFR 624**Legal Deadline:** None

Abstract: A revision is necessary to incorporate changes in the program, which have resulted from the passage of the 1996 Farm Bill; to fulfill a desire to make the program more responsive and efficient; and to respond to concerns of the public and the Agency. The rule is being reorganized and several items added.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	02/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 0578-AA30
DEPARTMENT OF AGRICULTURE (USDA)
Natural Resources Conservation Service (NRCS)
Final Rule Stage**301. FORESTRY INCENTIVES PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 2101 and 2103**CFR Citation:** 7 CFR 635; 7 CFR 701**Legal Deadline:** None

Abstract: The Forestry Incentives Program (FIP) supports good forest management practices on privately owned, non-industrial forest lands nationwide. FIP is designed to benefit the environment while meeting future demands for wood products. The Cooperative Forestry Assistance Act of 1978, as amended by Public Law 95-313, is the source of authority for FIP. FIP was reauthorized for fiscal year 2002 by Public Law 104-127. The interim rule sets forth FIP policies and procedures.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/01	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 0578-AA26**302. WETLAND CATEGORICAL MINIMAL EFFECTS EXEMPTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3801 et seq**CFR Citation:** 7 CFR 12**Legal Deadline:** None

Abstract: The 1985 Farm Bill, as amended, gives producers a major incentive to conserve wetlands by tying eligibility for most USDA program benefits to conservation of wetlands. However, producers can convert

wetlands based on available exemptions, including a minimal effect exemption. A minimal effect applies if the action, individually and cumulatively, will have minimal effect on the functional hydrological and biological value of the wetlands in the area. A categorical minimal effect is one that, when carried out, will always have a minimal effect on the hydrologic and biological functions of wetlands in the area. These activities will be identified on a regional basis.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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USDA—NRCS

Final Rule Stage

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RIN: 0578-AA27

DEPARTMENT OF AGRICULTURE (USDA)
Natural Resources Conservation Service (NRCS)

Long-Term Actions

303. HIGHLY ERODIBLE LAND AND
WETLAND CONSERVATION**Priority:** Other Significant**CFR Citation:** 7 CFR 12**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/06/96	

Action	Date	FR Cite
Interim Final Rule Comment Period End	11/05/96	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Helen Huntington
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RIN: 0578-AA17

BILLING CODE 3410-16-S

DEPARTMENT OF AGRICULTURE (USDA)
Office of Procurement and Property Management (OPPM)

Final Rule Stage

304. AGRICULTURE ACQUISITION
REGULATION: AMENDMENT TO PART
442, CONTRACT ADMINISTRATION**Priority:** Info./Admin./Other**Legal Authority:** 5 USC 301; 40 USC
486(c)**CFR Citation:** 48 CFR 442**Legal Deadline:** None**Abstract:** USDA proposes to amend part 442 of the Agriculture Acquisition Regulation (AGAR) to require USDA agencies to use a single automated performance evaluation system for recording and accessing contractor past performance information. This system will be the National Institutes of Health Contractor Performance System.**Timetable:**

Action	Date	FR Cite
NPRM	09/12/00	65 FR 54986
NPRM Comment Period End	11/13/00	
Final Action	05/00/01	
Final Action Effective	07/00/01	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Joseph J. Daragan,
Procurement Analyst, Department of
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RIN: 0599-AA08

305. • AGRICULTURE ACQUISITION
REGULATION; PART 419
AMENDMENT; NORTH AMERICAN
INDUSTRIAL CLASSIFICATION
SYSTEM**Priority:** Info./Admin./Other**Legal Authority:** 5 USC 301; 40 USC
486(c)**CFR Citation:** 48 CFR 419.508; 48 CFR
452.219-70**Legal Deadline:** None**Abstract:** USDA is amending the Agriculture Acquisition Regulation (AGAR) (48 CFR chapter 4) to remove references to Standard Industrial Classification Codes and to replace them with references to North American Industrial Classification System (NAICS) codes. This amendment updates the AGAR to reflect the Federal Acquisition Regulation's adoption of NAICS codes.**Timetable:**

Action	Date	FR Cite
Direct Final Rule	05/00/01	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no

paperwork burden associated with this action.

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RIN: 0599-AA09

306. • OFFICE OF PROCUREMENT
AND PROPERTY MANAGEMENT
(OPPM); UNIFORM PROCEDURES
FOR THE ACQUISITION AND
TRANSFER OF EXCESS FEDERAL
PROPERTY**Priority:** Info./Admin./Other**Legal Authority:** 7 USC 2206a; 7 USC
301 note; 7 USC 321 et seq; 20 USC
1059c(b)**CFR Citation:** 7 CFR 3200**Legal Deadline:** None**Abstract:** The Office of Procurement and Property Management (OPPM) is amending its procedures for the acquisition and transfer of excess personal property to 1994 Institutions (as defined in section 532 of the Equity in Education Land Grant Status Act of 1994); Hispanic-serving Institutions (as defined in section 316(b) of the Higher Education Act of 1965); and any college or university eligible to receive funds under the Act of August 30, 1890. This amendment clarifies administrative rules regarding equipment transfer and

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Final Rule Stage

reduces the administrative burden placed on recipient Institutions.

Timetable:

Action	Date	FR Cite
Direct Final Rule	05/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Office of Procurement and Property Management (OPPM)

307. NEW RESTRICTIONS ON LOBBYING**Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 3018**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/26/90	55 FR 6736
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local

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RIN: 0599-AA03**308. AGRICULTURE ACQUISITION REGULATION (AGAR); CONTRACTOR EMPLOYMENT OF MIGRANT AND SEASONAL AGRICULTURAL WORKERS****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 422; 48 CFR 452**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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RIN: 0599-AA05

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Office of Procurement and Property Management (OPPM)

309. DEPARTMENT OF AGRICULTURE PRIORITIES AND ADMINISTRATIVE GUIDELINE FOR DONATION OF EXCESS RESEARCH EQUIPMENT**Priority:** Info./Admin./Other**CFR Citation:** 7 CFR 2812**Completed:**

Reason	Date	FR Cite
Final Action	11/21/00	65 FR 69856
Final Action Effective	12/21/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Tribal

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RIN: 0599-AA06

[FR Doc. 01-6919 Filed 05-11-01; 8:45 am]

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